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Congressional Record

PROCEEDINGS AND DEBATES OF THE 81st CONGRESS, FIRST SESSION

SENATE

MONDAY, APRIL 11, 1949

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of Life and Light, help us with contrite hearts to begin this week, of all the year the holiest. May its sorrows search our souls. May we rise to newness of life as our glad hearts thrill again at the awakening earth robed in the blooming garb of spring. Make us more worthy of the high trusteeship of power and of opportunity which Thou hast committed to our hands in these decisive days. In this quiet moment of devotion, with all other voices stilled, breathe on us, Breath of God. Amid the turbulent things that are seen may the peace of the unseen and the eternal keep steady and steadfast our hearts and minds.

In the Redeemer's name, we pray. Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 8, 1949, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1757) to amend and extend the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

The message also announced that the House had passed a bill (H. R. 4046) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, in which it requested the concurrence of the Senate.

ORDER OF BUSINESS

Mr. LUCAS. I yield to the Senator from Louisiana.
Mr. ELLENDER. Mr. President, I desire to introduce a bill.

The VICE PRESIDENT. The Chair would like to suggest that the Senate is in session following an adjournment, and there will be a morning hour very shortly, at which time Senators can present any matters they desire.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hunt	Mundt
Anderson	Ives	Murray
Bricker	Johnson, Colo.	Neely
Bridges	Johnson, Tex.	O'Connor
Butler	Johnston, S. C.	O'Mahoney
Cain	Kem	Pepper
Capehart	Kerr	Robertson
Chapman	Knowland	Russell
Donnell	Langer	Schoeppel
Downey	Lodge	Smith, Maine
Eastland	Long	Sparkman
Eaton	Lucas	Stennis
Ellender	McCarran	Taft
Ferguson	McCarthy	Taylor
Flanders	McClellan	Thomas, Okla.
Frear	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tydings
Gillette	Magnuson	Vandenberg
Green	Malone	Watkins
Gurney	Martin	Wherry
Hendrickson	Maybank	Wiley
Hickenlooper	Miller	Williams
Holland	Millikin	Withers
Humphrey	Morse	Young

Mr. LUCAS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], and the Senator from North Carolina [Mr. HOEY] are detained on official business in meetings of committees of the Senate.

The Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from West Virginia [Mr. KILGORE] is unavoidably detained.

The Senator from North Carolina [Mr. GRAHAM] is absent because of illness.

The Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAVER] are necessarily absent.

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate.

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from New Hampshire [Mr. TORY] are absent on official business.

The Senator from New Jersey [Mr. SMITH] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Oregon [Mr. CORDON], the Senator from Indiana [Mr. JENNER], and the Senator from Kansas [Mr. REED] are detained on official committee business.

The VICE PRESIDENT. A quorum is present.

ANNOUNCEMENT OF LEGISLATIVE PROGRAM AND WEEK-END HOLIDAY

Mr. LUCAS. Mr. President, I desire to make a brief announcement for the benefit of Members of the Senate. After the morning hour has been completed we will then have the call of the calendar. After the calendar has been completed the Senate will resume consideration of the unfinished business, House bill 2632, the first deficiency appropriations bill.

I desire to make a further announcement, Mr. President. Some Senators have been very much interested in what the Senate expected to do on Good Friday. It is the intention of the majority to take a recess or have an adjournment from Thursday night over until Monday. I thought Senators might want to know that at this time, in order that they might make their plans accordingly. In other words, there will be no session on Good Friday.

Those are the only announcements I have to make at this time, Mr. President.

Mr. WHERRY. Mr. President, before the Senator takes his seat will he yield to me?

Mr. LUCAS. I yield.

Mr. WHERRY. Does the Senator have any idea at what time the Senate may recess or adjourn on Thursday? Some Senators are interested in knowing, so they may make plans.

Mr. LUCAS. I assume the session on Thursday will be concluded around 5:30 or 6 o'clock, unless there is under consideration at that time some measure, action on which it is very important to have completed and to complete which will require but a short time.

I may say that after the Senate has completed action on the first deficiency appropriation bill it will take up the housing bill which is now on the calendar. I am not sure what measure the Senate will take up after that.

SUPPLEMENTAL ESTIMATE VETERANS' ADMINISTRATION (S. DOC. NO. 42)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a

supplemental estimate of appropriation, amounting to \$595,890,000, for the Veterans' Administration, fiscal year 1949, which, with an accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. MILLIKIN:

A resolution of the Senate of the Legislature of the State of Colorado; to the Committee on Finance:

"Senate Resolution 16

"Petitioning the President of the United States to prohibit the importation of furs from Russia

"Whereas the fur farming industry in the State of Colorado as elsewhere is fighting for its existence due to unjust competitive conditions brought about largely by the importation of furs from Russia: Now, therefore, be it

"Resolved by the Thirty-seventh General Assembly of the State of Colorado, That it respectfully petitions the President of the United States in the exercise of his emergency or other powers to prohibit the importation of furs from the Union of Soviet Socialist Republics in order to protect the fur farming industry in this State and elsewhere in the United States; and be it further

"Resolved, That copies of this petition be forwarded to the President of the United States, and to the Senators and Congressmen representing this State in the Congress of the United States.

"WALTER W. JOHNSON,
"President of the Senate.
"FRED C. FERGUSON,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Finance:

"House Joint Memorial 14

"Memorializing the Congress of the United States to enact pending legislation for the amendment of the Social Security Act to provide assistance to unemployables

"Whereas there is now pending in the Congress of the United States various measures for the amendment of the Social Security Act to provide for more comprehensive public welfare programs of assistance and welfare services to various categories of needy persons; and

"Whereas it is essential that provision be made through Federal legislation in cooperation with the States for the assistance of the chronically ill, physically or mentally handicapped, or otherwise unemployable persons between the ages of 18 and 65, who by clinical and laboratory tests, or otherwise, have been determined to have a chronic or prolonged disability which causes them to be unable or unavailable for gainful employment: Now, therefore, be it

"Resolved by the house of representatives of the thirty-seventh general assembly (the senate concurring herein), That the Congress of the United States be and it is hereby memorialized to approve such proposed legislation providing for amendments to the Social Security Act in order to provide for assistance to the chronically ill, physically or mentally handicapped, or otherwise unemployable persons between the ages of 18 and 65, who have been determined by clinical and laboratory tests, or otherwise, to have a chronic or prolonged disability which causes them to be unable or unavailable for gainful employment; and be it further

"Resolved, That copies of this memorial be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the

Senators and Congressmen representing the State of Colorado in the Congress of the United States, and to the Federal Security Administrator.

"PAT MAGILL, JR.,
"Speaker of the House of Representatives.
"HENRY CHRISTENSEN,
"Chief Clerk of the House of Representatives.
"WALTER W. JOHNSON,
"President of the Senate.
"FRED C. FERGUSON,
"Secretary of the Senate."

PROHIBITION OF LIQUOR ADVERTISING—PETITIONS

Mr. WILLIAMS. Mr. President, I present for appropriate reference petitions signed by 204 citizens of the city of Wilmington, and 30 citizens of Greenwood, both in the State of Delaware, praying for the enactment of House bill 2428, to prohibit the transportation of alcoholic beverage advertising in interstate commerce and the broadcasting of alcoholic beverages over the radio, and I ask unanimous consent that one of the petitions be printed in the RECORD, without the signatures attached.

There being no objection, the petitions were referred to the Committee on Interstate and Foreign Commerce, and one of the petitions was ordered to be printed in the RECORD, without the signatures attached, as follows:

PETITION

To our Senators and Representatives in Congress:

We respectfully request that you use your influence and vote for the passage of a bill to prohibit the transportation of alcoholic beverage advertising in interstate commerce and the broadcasting of alcoholic beverage advertising over the radio. The most pernicious effect of this advertising is the constant invitation and enticement to drink. The American people spent \$9,640,000,000 for alcoholic beverages in 1947 as compared with \$7,770,000,000 in 1945. During the same period there was a corresponding increase each year in crime, juvenile delinquency, broken homes, deaths, and injuries due to intoxicated drivers, in the number of alcoholics and also of habitual or heavy drinkers. There is every reason why this waste of money and of human values should not be increased but rather greatly decreased.

INTERFAITH DAY

Mr. IVES. Mr. President, I present for appropriate reference a joint resolution which was recently adopted by the New York State Legislature which memorializes Congress to enact House Joint Resolution 29, which would designate the fourth Sunday in September of each year as Interfaith Day. This joint resolution is identical with House Joint Resolution 40 and Senate Joint Resolution 6. The last-named joint resolution was introduced by me. I ask unanimous consent that Senate Joint Resolution 6 may be incorporated in the RECORD at this point in my remarks.

There being no objection, Senate Joint Resolution 6 was ordered to be printed in the RECORD, as follows:

Joint resolution designating the fourth Sunday in September of each year as Interfaith Day

Whereas the United States of America was founded on the firm basis of freedom of thought and conscience; and

Whereas the fomenting of antagonism between Americans on a basis of sectarian creed is contrary to American traditions and to the spirit of the guarantees of freedom of worship embodied in the Constitution of the United States; and

Whereas it ought to be, and is hereby declared to be, the policy of Congress to encourage the mutual understanding of all people of good will; and

Whereas the program of the interfaith movement offers a practicable means for encouraging such mutual understanding: Therefore be it

Resolved, etc., That the fourth Sunday in September of each year is hereby designated as Interfaith Day, and the President of the United States is authorized and requested to issue annually a proclamation calling on the people of the United States to observe such day, and urging the participation of all Americans and all religious groups in the United States, regardless of sect or creed, to participate in the observance of such day by such means as they may deem appropriate.

The joint resolution of the Legislature of the State of New York, relating to the designation of the fourth Sunday in September of each year as Interfaith Day was referred to the Committee on the Judiciary.

(See text of joint resolution printed in full when laid before the Senate on April 7, 1949, p. 4014, CONGRESSIONAL RECORD.)

PROTEST AGAINST INCREASE IN PENNY POST CARD—RESOLUTION OF BOARD OF DIRECTORS OF SOUTH-CENTRAL ELECTRIC ASSOCIATION, ST. JAMES, MINN.

Mr. HUMPHREY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the board of directors of the South-Central Electric Association, at St. James, Minn., protesting against increasing the cost of a penny post card to 2 cents.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

The following resolution was adopted by the board of directors of the South-Central Electric Association at a special meeting held at St. James, Minn., at 2 p. m., on the 4th day of April 1949.

A motion was duly made, seconded, and unanimously carried adopting the following resolution and authorizing the manager to send a copy of said resolution to our Congressman and Senators:

"Whereas a proposed law (H. R. 2945) will increase the cost of a penny post card to 2 cents; and

"Whereas the post office favors it because they say big business buys post cards by the billions; and

"Whereas small businesses also use a considerable quantity of penny post cards; and

"Whereas increasing the rate from 1 cent to 2 cents would work a distinct hardship on many small businesses: Now, therefore, be it

"Resolved, That a bill be introduced into the Congress in which penny post cards be rationed to not more than 10,000 per month to any one buyer, so that the penny post card can continue to help the little-business man in his competition with the chain stores and big business, and thereby save penny-post-card advertising for the small stores, churches, lodges, clubs, etc."

RESOLUTIONS OF INDEPENDENT BANKERS ASSOCIATION RELATING TO BANKING LEGISLATION

Mr. HUMPHREY. Mr. President, I present for appropriate reference resolutions adopted by the Independent Bankers Association, in convention assembled at the Buena Vista Hotel, at Biloxi, Miss., relating to banking legislation, and I ask unanimous consent that they may be printed in the RECORD.

There being no objection, the resolutions were referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

I. TO CONVERT EITHER WAY

Whereas this association believes that the preservation of our free economy rests in the continuance of the dual banking system; and Whereas the National Bank Act contains provisions authorizing two national banking associations to merge, a State bank to convert into a national banking association, and a State bank to be consolidated into a national banking association; and

Whereas the present National Bank Act does not permit a national banking association to convert into a State banking institution or to be consolidated or merged into a State banking institution without first going through the process of liquidation; and

Whereas in the event of a merger of a national banking association into a State banking institution, the bank shareholders are in most cases penalized taxwise, which is not true in the case of a State banking institution into a national banking association; and

Whereas this restricts the freedom of any bank to choose either the national or the State banking system and discriminates against the State banking system; and

Whereas this association is convinced of the vital importance to the preservation of the dual banking system of establishing and maintaining reciprocal conversion and merger privileges as between State-chartered banks and national banks: Now, therefore, be it

Resolved, That this association expresses its firm belief in the need for the enactment of a bill designed to accomplish this result, such as H. R. 58, H. R. 1161, H. R. 1269, and S. 101, which have been introduced in the Eighty-first Congress, and urges the Congress to proceed promptly to pass such legislation; and be it further

Resolved, That the secretary of this association is hereby directed to forward a copy of this resolution to each member of the House and Senate Committees on Banking and Currency and to make known the views of this association to the chairmen of such committees; and be it further

Resolved, That each member of the association is requested to write his Congressman and Senators, urging the prompt enactment of such legislation.

II. TO CONTINUE THE STATUS OF THE THREE FEDERAL BANKING AGENCIES

Whereas this association is firmly and unanimously of the opinion that the continuance of the dual banking system is essential to the maintenance of free enterprise in this Nation; and

Whereas the continuance of the dual banking system in large measure depends upon the division of Federal bank supervision and examination among the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Board of Governors of the Federal Reserve System; and

Whereas the House of Representatives of the Eighty-first Congress has passed H. R. 1569, which is a bill authorizing the President to reorganize and transfer functions

among the Federal executive departments and agencies by reorganization plans, which plans will become law unless Congress disapproves by a majority of each House within 60 days after submission of the plan to Congress; and

Whereas in H. R. 1569, the Board of Governors of the Federal Reserve System was placed in a special category of agencies which may be reorganized only by a separate reorganization plan that does not contain provisions for the reorganization of any other agencies, which amounts in effect to an exemption of the Federal Reserve System; and

Whereas the Federal Deposit Insurance Corporation and the Comptroller of the Currency were not accorded such an exempt status: Now, therefore, be it

Resolved, That the Federal Deposit Insurance Corporation and the Comptroller of the Currency should be maintained on a parity with the Federal Reserve Board and should be given like status under H. R. 1569 and S. 526; and be it further

Resolved, That secretary of this association is hereby authorized and directed to forward a copy of this resolution to each member of the House and Senate Committees on Expenditures in the Executive Departments and to make known the views of this association to the chairmen of such committees; and be it further

Resolved, That each member of the association be urged to write to his Congressman and Senators requesting equal treatment for the Federal Deposit Insurance Corporation, Comptroller of the Currency, and the Federal Reserve Board in H. R. 1569 and S. 526, as all are entirely maintained by the banks with no expense to the Federal Government.

III. OPPOSE BRANCHES FOR FEDERAL SAVINGS AND LOAN ASSOCIATIONS

Whereas this association is firmly and unanimously opposed to chain, group, or branch banking and the principle so involved; and

Whereas the Federal savings and loan associations are now establishing branches in several States: Be it hereby

Resolved, That this association go on record as opposing any branches whatsoever for Federal savings and loan associations excepting in States that permit State savings and loan associations to establish branches; and be it further

Resolved, That we recommend national legislation that will necessitate Federal savings and loan associations to comply with State law in regard to establishing branches.

IV. URGE LEGISLATION TO ADEQUATELY REGULATE THE BANK HOLDING COMPANY

Whereas holding-company operation of groups or chains of banks with its centralized control of credit and its lack of proper supervisory regulation constitutes a growing monopoly and is a dangerous move toward Government socialization of banking; and

Whereas holding-company operation of groups or chains of banks is inseparably linked to and identified with branch banking and is branch banking in fact if not in name; and

Whereas the expansion of bank holding companies across State lines is a device looking to and intended as a means of establishing branch banking privileges in many States in contravention of law; and

Whereas the Independent Bankers Association believes that a system of independent unit banking is best adapted to the highly diversified community life in the United States and it is therefore unalterably opposed to the growing menace of branch banking which growth has been and is aided, abetted, and made possible by its hidden identity with the uncontrolled and unregulated bank holding company: Now, therefore, be it

Resolved by the Independent Bankers Association, That there be a prompt and speedy enactment by the Congress of the United States of such legislation as will—

1. Prohibit the further expansion of bank holding companies.

2. Place all bank holding companies under effective Government supervision and regulation similar to the supervision and regulation imposed on unit banks.

3. Require the separation of bank holding companies from all nonbanking activities.

PROPOSED REPEAL OF TAFT-HARTLEY LABOR LAW—RESOLUTION OF COUNCIL OF COLERAINE, MINN.

Mr. HUMPHREY. Mr. President, I present for appropriate reference a resolution adopted by the Council of Coleraine, Minn., favoring repeal of the Taft-Hartley labor law, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table, and ordered to be printed in the RECORD, as follows:

Whereas the Taft-Hartley Act is in effect antilabor legislation which aims at the ultimate defeat of labor organizations in their pursuit of bargaining freedom; and

Whereas under the Wagner Act, millions of workers did organize into strong unions, thereby providing the instrument necessary to protect their interests; and

Whereas the workers in America, through their unions, were able to hold up their heads in the knowledge that for the first time in history they were free men, proving this by their great production record during the terrible years of the past global war; and

Whereas President Truman in his pre-election tour of the United States brought the issue of the Taft-Hartley Act to the people, making it the major issue of the day, and the result was that the people voted supporting his stand in this matter: Therefore be it

Resolved, That the Taft-Hartley Act be immediately repealed and the Thomas-Lesinski bill (S. 249-H. R. 2032) which have the approval of the Senate Labor Committee be enacted as law; be it further

Resolved, That certified copies hereof be forwarded to President Harry S. Truman, Senators EDWARD J. THYE and HUBERT H. HUMPHREY, Representative JOHN A. BLATNIK, and the Duluth and Iron Ranges Joint Council.

ARTHUR TOMS, Village President.

Attest:

RUTH F. HARRIS, Village Clerk.

LONG-RANGE FEDERAL FARM PROGRAM—STATEMENT OF POLICY OF BOARD OF DIRECTORS OF THE FARMERS UNION OF WALSH COUNTY, N. DAK.

Mr. LANGER. Mr. President, I present for appropriate reference a statement of policy adopted by members of the Walsh County Farmers Union board of directors, in meeting at Park River, N. Dak., relating to a long-range Federal farm program, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement of policy was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

STATEMENT OF POLICY, WALSH COUNTY FARMERS UNION BOARD OF DIRECTORS

We, the undersigned, members of the Walsh County Farmers Union board of directors, meeting at Park River, N. Dak., on this 2d day April 1949, do unanimously agree on behalf of 1,100 farm families of this

county that the following Federal legislation should be immediately enacted:

1. A long-range Federal farm program that would: (1) guarantee 100 percent of parity on all farm commodities up to what is normally considered farm-family production; and that parity price supports should be sharply reduced on all farm production above these definitely set production limits; that these and other limitations be effected so as to encourage farm-family agriculture and discourage present-day trends in factory-type agriculture; and (2) greatly increase all farm commodity storage facilities through the use of Federal loans to local and regional REA-type cooperatives; and where such farm commodities must be processed before storage, additional Federal loans be made for the construction, establishment, and maintenance of processing plants. Such a basic farm program would not only strengthen the Nation's agricultural economy but would, additionally, stabilize the total economy.

2. We urge Federal legislation that would equalize all education and health opportunities for everyone. We recommend Federal aid to education and Federal health insurance.

3. We urge immediate and sufficient appropriations so that REA development can be stepped-up in all areas not now serviced by central power stations. Such appropriation measures should definitely specify that they can be used for the construction and establishment of central power stations as well as transmission lines; and that the necessary materials be made available. We further urge, that legislation be passed to establish a rural telephone administration in conjunction and along the lines of the REA.

We direct that a copy of this statement be sent by the county secretary to both Members of Congress and to the United States Senators from this State; and that they be urged to use their influence and throw their wholehearted support behind this legislation.

A. E. ERICKSON,

Chairman.

GORDON TWEDT,
W. R. LILLEHAUGEN,
GEORGE R. BERTSON.
MRS. ELMER STAVEN.
W. N. ELZNIC.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 528. A bill to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; with amendments (Rept. No. 259);

S. 729. A bill to amend the Trading With the Enemy Act so as to extend the time within which claims may be filed for return of any property or interest acquired by the United States on or after December 18, 1941; with an amendment (Rept. No. 242);

H. R. 668. A bill for the relief of Alex Ball; without amendment (Rept. No. 244);

H. R. 679. A bill to authorize the admission of Mrs. Julia Balint to the United States; with an amendment (Rept. No. 258);

H. R. 711. A bill for the relief of Mrs. Margaret Gregg Dilnot; without amendment (Rept. No. 245);

H. R. 1010. A bill for the relief of Mrs. May K. Y. Mok, Frederick W. S. Mok, and Vincent W. C. Mok; without amendment (Rept. No. 246);

H. R. 1035. A bill for the relief of Mrs. Ada M. Ryan; without amendment (Rept. No. 247);

H. R. 1041. A bill for the relief of Jeanette and Jesus Esteva and their four children; without amendment (Rept. No. 248);

H. R. 1052. A bill for the relief of Lawrence G. McCarthy; without amendment (Rept. No. 249);

H. R. 1079. A bill for the relief of Maria Veltri Magnone; without amendment (Rept. No. 250);

H. R. 1101. A bill for the relief of Anna Malone and Rita Anderson; without amendment (Rept. No. 251);

H. R. 1460. A bill for the relief of Mrs. Silvia Mapelli; without amendment (Rept. No. 252);

H. R. 1508. A bill for the relief of Peter Drozd; without amendment (Rept. No. 253);

H. R. 1591. A bill for the relief of Bram B. Tellekamp; without amendment (Rept. No. 254);

H. R. 1629. A bill for the relief of Kira and Nina Grigorieff; without amendment (Rept. No. 255);

H. R. 1876. A bill for the relief of Ralph Martin Elzingre, also known as Ralph Seawell; without amendment (Rept. No. 256); and

H. R. 1878. A bill for the relief of Ben Luke Pond, Shao Hung Pond, and David Yat Wei Pond; without amendment (Rept. No. 257).

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORT OF A COMMITTEE

Mr. McCARRAN. From the Committee on the Judiciary, I report an original concurrent resolution, and I submit a report (No. 243) thereon.

The VICE PRESIDENT. The report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 29) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.
A-4455093, Abbott, Arnold, or Felix Arnold Abbott.

A-4446440, Acuna-Salcido, Francisco.
A-6072837, Adamopoulos, Georgios Athanasias, or George Athos Adamson, George Athos Adamopoulos.
A-3305353, Andrianos, Panagiotis Stauros, or Peter Andrianos.

A-9186071, Apell, Karin Guborg Dagmar (nee Ericsson or Karin Apell or Appell).
A-6096785, Arriaza, Dafne Raquel Alvarez.

A-1416522, Atkinson, Marguerite Anne or Marguerite Anne Franklin Cavens or Marguerite Alice June Cavens (nee Marguerite Anne Franklin).
A-6248583, Balloff, Sophia (nee Papadopoulos).

A-4391738, Bencivenga, Giuseppe, or Joseph Bencivenga or Raffaele Cirillo.
A-4897041, Bennett, Raya.

A-1385801, Blankenberg, Frederick Moritz Anst, or Frederick Moritz Ernest Blankenberg (alias Frederick Morris Ernest Blankenberg, alias Fred Blackwell, alias Fred Blackenberg).
A-6397588, Boellaard, Helena.
A-5713565, Bond, Austin.

A-6314545, Borg, Carmel Charlie.
A-7000606, Borza, Giuseppe.
A-7000607, Borza, Antonia.

A-1387774, Bushey, Elmer Joseph, or Boucher or Bushey or Dick or Richard Bushey.
A-7032447, Caballero-Bustamante, Alberto Antonio.
A-7032445, Caballero-Bustamante, Rafael.
A-7032446, Caballero-Bustamante, Maria Estela.

A-6261651, Caramsaledis, Fotini (nee Dilleveu).

A-3725684, Castellano, Vincenzo, or Vincent James Castellano or James Castellano.

A-6720039, Cavallarin, Guerrino.

A-6448302, Chan, Kenneth Ivan, or Kenneth Ivan Hing.

A-6669678, Chavez-Reyna, Alfredo, or Alfredo Chavez.

A-6665545, Chew, Kwong Hai, or Harry Kwong (Hai Chew).

A-6261653, Christake, Merope (nee Kiloni).

A-3289766, Cipolat, Romano.

A-1235054, Cohen, Dora (nee Rom).

A-6798522, Courtsis, Elias Athanasias or Koutsis.

A-7005140, Cristiani, Henrietta Edith, or Henrietta Cristiani.

A-5343796, Cybulski, Benjamin, or Robert Gordon or Manuel Solis or Josef or Joseph Royer or Emilio Valdez or Emilio Honorato Valdez y Ramirez or Myer Bursyn or Burstein or Benumeck Subelsky or Zubelsky.

A-3249572, DeGarciaaduenas, Adela Argulera.

A-6429946, DeLeon, Manuel Valencia.

A-6671577, Del Valle, Raul Rodriguez, or Raul Del Valle.

A-6323500, DePolendo, Genoveva Zavala.

A-6297365, Dittner, Pierre Raymond.

A-6194152, Eng, Winifred, or Winifred Ho Chong or Ho Gum Lan.

A-6440402, Fischer, Bela.

A-2856078, Fox, Irene (nee Fuschs or Ronia Malka Fuschs).

56051/858, Galli, Orzalo.

A-2358225, Gensen, Friedrich Paul, or Frederick Gensen.

A-5942350, Godinez, Juan.

A-6282215, Griffin, Robin Delmar.

A-9769331, Grizopoulos, George.

A-7629777, Grove, Marmaduke, or Marmaduke Grove-Valenzuela.

A-6226149, Guillemette, Dorothy Leslie.

A-4745611, Harb, Salem Abraham Esah.

A-5382338, Hobbs, Ernest Frank.

A-4698673, Horvath, Zofia Mary Rawicz, or Zofia Mary Rawicz Oldakowska.

A-6707622, Koenig, Brigitta.

A-6489133, Kyriakakis, Constat.

A-1972384, Lawson, Margorie Ing-Kai (alias Marjorie Naitto).

A-7539114, Lee, Yung Tsini.

A-4593373, Lee, Joseph Tsu-An, or Jew On Lee or Joseph On Lee or Lee Jew On or Joe On Lee.

A-3454683, Leibovitch, Harold.

A-6405605, Lorenz, Kurt Paul.

A-6581437, Madrid, Manuel.

A-6581438, Madrid, Maria Elodia.

A-3405450, Matiatos, Spiros.

A-9533326, Matthios, Theodoros, or Terry Matthios.

A-6491875, Meireles, Domingos Amaral.

A-6261594, Mishas, Efthimia (nee Mandicas).

A-6533340, Nabra, Gabriel or Nahara.

A-1788665, Nemes, Bella, or Bill Names.

A-6450508, Niethe, Karl Wilhelm.

A-5295304, Onorati, Umberto, or Albert Onorati.

A-6022600, Orta, Maria De La Luz, or Maria De La Luz Horta.

A-6022602, Orta, Pilar, or Pilar Horta.

A-6022601, Orta, Ramona, or Ramona Horta.

A-5952938, Palmisano, Gaetano.

A-3491965, Panciera, Mario.

A-6268180, Pandelaras, Paraskevi Gregory (nee Paraskevi Apostolou Pavlou).

A-3435006, Papadatos, Evangelos Gregoriou, or Angelos Papas.

A-6355563, Perez, Antonio, or Antonio Perez Matezanta.

A-6911080, Perez, Virginia Soto, or Virginia Soto Lagos Perez.

A-6704624, Pieber, Gerda, or Bessie Soukaras.

A-1324167, Pinto, Alessio.

A-6339441, Pollett, Robert Anderson.

A-5974374, Ramirez, Jesus, or Jesus Ramirez-Carrasco.
 A-6711690, Randolph, Frank Charles.
 A-1585863, Reichenbach, Mary Elaine (nee Pye, formerly Beebe).
 A-3433637, Richter, John Frank.
 A-6696460, Rodriguez, John Negrete.
 A-6451215, Rouse, Peter John.
 A-9620460, Samuel, George Ryan.
 A-6774210, Schlupp, Anna (nee Helman).
 A-6296216, Sereni, Pier Dino.
 A-4835531, Sobenko, Mary (see Maria Kuzmiak).
 A-3158427, Sootzmann, Alex Fritz, or Alex Soodsmann.
 A-1886212, Staub, Hyman, or Herman Staub.
 A-6492676, Stewart, Charlotte Rattray.
 A-6065478, Stipanovic, Branko, or Branko Stipanovich.
 A-6816833, Tarin, Berta Alicia.
 A-3363800, Tavares, Henry De Amorim Paula.
 A-6225120, Theodorides, Georgios Basileios, or Georgios Theodorides or Michael Panagiotis Hadjistylianos.
 A-5987833, Thomas, Eugene Watkin.
 A-5916170, Thompson, Oscar Leonard, or Cyril Oscar Wilson.
 A-3672478, Tomaselli, Charles Rudolph.
 A-6245753, Trepcos, Helene (nee Helene Kovatsis).
 A-6260601, Van Hanen, Toivo, Albert.
 A-6738733, Vargas, Cesar Medrano, or Cesar Vargas Medrano or Jesus Maldonado Santiago.
 A-6706772, Vassilaros, Sofia Ilias (formerly Apostolakis).

A-1467265, Vassos, Alfonso Apostolas, or John Paul Pappas or Paul P. A. Vassos.
 A-4865007, Vene, Bruno.
 A-1770952, Vitiello, Gennaro.
 A-5336993, Volksdorf, Ernest William.
 A-9726040, Vucetic, Henrik Emil.
 A-6081841, Walters, Jr., Alfred Ernest.
 A-1633174, Wineland, Marion Gladys (formerly Bundy, nee Walker).
 A-7035406, Yee, Gloria.
 A-2727259, Yue, Yeun Shai.
 A-2751327, Ha, Chan (Chow) Min.
 A-6724306, Zarate-Urzua, Dionisio; Dionisio Zarate-Covarrubias.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES RELATING TO CIVILIAN PERSONNEL IN EXECUTIVE BRANCH OF GOVERNMENT

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonesential Federal Expenditures, I submit an additional report on civilian employment in the executive branch of the Federal Government during the month of February 1949, and, in accordance with the practice of several years' standing, I request that it be printed in the body of the RECORD as a part of my remarks, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH JANUARY-FEBRUARY 1949, AND PAY DECEMBER 1948-JANUARY 1949

(Note with reference to personal service expenditures figures: It should be noted that the latest expenditure figures for personal service shown in table I of this report are for the month of January, and that they are compared with personal service expenditure figures for the month of December, whereas the latest employment figures covered in this report are for the month of February and are compared with the month of January. This lag in personal service expenditure figures is necessary in order that actual expenditures may be reported.)

(Figures in the following report are compiled from signed official personnel reports by the various agencies and departments of the Federal Government. Table I shows total personnel employed inside and outside continental United States, and pay, by agency. Table II shows personnel employed inside continental United States, by agency. Table III shows personnel employed outside continental United States, by agency. Table IV gives by agency the industrial workers employed by the Federal Government. For purposes of comparison, figures for the previous month are shown in adjoining columns.)

PERSONNEL AND PAY SUMMARY

According to monthly personnel reports for February 1949 submitted to the Joint Committee on Reduction of Nonesential Federal Expenditures:

	Civilian personnel in executive branch			Pay roll (in thousands of dollars) in executive branch		
	In February numbered—	In January numbered—	Increase (+) or decrease (—)	In January was—	In December was—	Increase (+) or decrease (—)
Total.....	2,104,979	2,102,809	+2,170	\$527,581	\$613,877	-\$86,296
1. Agencies exclusive of National Military Establishment.....	1,210,242	1,210,625	-383	307,968	380,263	-72,295
2. National Military Establishment.....	894,737	892,184	+2,553	219,613	233,614	-14,001
Within National Military Establishment:						
Office of the Secretary of Defense.....	1,295	1,226	+69	434	450	-16
Department of the Army.....	370,024	367,884	+2,140	87,376	94,118	-6,742
Department of the Air Force.....	160,232	158,789	+1,443	38,297	38,292	+5
Department of the Navy.....	363,186	364,285	-1,099	93,506	100,754	-7,248

Table I breaks down the above figures on employment and pay by agency.

Tables II, III, and IV break down the above employment figures to show the number of employees inside continental United States, the number outside continental United States, and the number in the so-called industrial categories. This further break-down in tables II, III, and IV does not include pay figures because pay-roll reports submitted to the committee by some agencies are inadequate for this purpose.

INSIDE CONTINENTAL UNITED STATES

(See table II)

Federal personnel within the United States decreased 170 from the January total of 1,911,297 to the February total of 1,911,127.

Exclusive of the National Military Establishment there was a decrease of 851 from the January total of 1,155,645 to the February total of 1,154,794.

Total civilian employment within the United States for the National Military Establishment for February was 756,332, an increase of 680 over the January figure of 755,652.

The Office of the Secretary of Defense increased 69 from the January figure of 1,226 to the February figure of 1,295.

The Department of the Army civilian personnel within the United States increased 783 from the January figure of 299,841 to the February figure of 300,624.

The Department of the Air Force civilian personnel within the United States increased 780 from the January figure of 132,205 to the February figure of 132,985.

The Department of the Navy civilian personnel within the United States decreased 952 from the January figure of 322,380 to the February figure of 321,428.

OUTSIDE CONTINENTAL UNITED STATES

(See table III)

Outside continental United States Federal personnel increased 2,341 from the January total of 191,512 to the February total of 193,853.

An increase of 468 was reported by the departments and agencies other than the National Military Establishment, from the January total of 54,980 to the February total of 55,448.

Total overseas civilian employment for the National Military Establishment increased 1,873 from the January figure of 136,532 to the February figure of 138,405.

The Department of the Army reported an increase of 1,357 in overseas civilian employment from the January figure of 68,043 to the February figure of 69,400.

The Department of the Air Force reported an increase of 663 in overseas civilian employment from the January figure of 26,584 to the February figure of 27,247.

The Department of the Navy reported a decrease of 147 in overseas civilian employ-

ment from the January figure of 41,905 to the February figure of 41,758.

INDUSTRIAL EMPLOYMENT

(See table IV)

Total industrial employment during the month of February increased 582 from the January figure of 574,164 to the February total of 574,746.

The departments and agencies other than the National Military Establishment decreased 270 from the January total of 19,753 to the February total of 19,483.

The National Military Establishment increased its total industrial employment 852 from the January total of 554,406 to the February total of 555,258.

The Department of the Army increased its industrial employment 1,476 from the January figure of 206,389 to the February figure of 207,865. Inside continental United States there was an increase of 114, and outside continental United States there was an increase of 1,362.

The Department of the Air Force industrial employment increased 823 from the January figure of 95,050 to the February figure of 95,873. Inside continental United States there was an increase of 186, and outside continental United States there was an increase of 637.

The Department of the Navy decreased its industrial employment 1,447 from the Janu-

ary figure of 252,967 to the February figure of 251,520.

The term "industrial employees," as used by the committee, refers to unskilled, semi-skilled, skilled, and supervisory employees paid by the Federal Government who are working on construction projects, such as airfields and roads, and in shipyards and arsenals. It does not include maintenance and custodial employees.

EMPLOYEES INSIDE CONTINENTAL UNITED STATES,
BY STATE AND BY AGENCY, AS OF DECEMBER
1948

The information in table V, carried at the end of this report, was compiled by the United States Civil Service Commission, and is included in this additional report of the Joint Committee on Reduction of Nonessential Federal Expenditures in response to nu-

merous requests for a break-down of paid civilian employees of the executive branch, by agency and by State.

It should be noted that differences between the figures released by the Civil Service Commission for the month of December and those compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures are not identical, but they are reconciled in footnote 1 which accompanies table V.

TABLE I.—Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during February 1949, and comparison with January 1949; and pay for January 1949 and comparison with December 1948

Department or agency	Pay (in thousands of dollars)				Personnel			
	December	January	Increase	Decrease	January	February	Increase	Decrease
Executive departments (except National Military Establishment):								
Agriculture.....	\$19,323	\$17,805		\$1,518	73,680	73,940	260	
Commerce.....	12,614	12,118		496	39,926	40,240	314	
Interior.....	13,999	12,826		1,173	49,588	49,901	313	
Justice.....	9,539	8,831		708	26,345	26,186		159
Labor.....	1,211	1,100		111	3,521	3,399		122
Post Office.....	178,809	122,108		56,701	507,507	507,430		77
State.....	5,941	5,369		572	20,115	20,210	95	
Treasury.....	28,075	26,074		2,001	89,015	91,302	2,287	
Executive Office of the President:								
White House Office.....	84	119	\$35		218	225	7	
Bureau of the Budget.....	261	244		17	530	531	1	
Executive Mansion and Grounds.....	15	15			69	60		9
National Security Council ¹	9	9			22	22		
National Security Resources Board.....	190	150		40	410	407		3
Council of Economic Advisers.....	23	22		1	39	39		
Emergency war agencies: Office of Defense Transportation.....	17	12		5	39	39		
Postwar agencies:								
Displaced Persons Commission.....	50	46		4	147	179	32	
Economic Cooperation Administration.....	876	926	50		3,078	3,078		
Office of the Housing Expediter.....	1,681	1,535		146	4,856	4,884	28	
Philippine Alien Property Administration.....	34	32		2	128	127		1
Philippine War Damage Commission.....	203	190		13	933	943	10	
War Assets Administration.....	5,007	2,777		2,230	6,708	4,899		1,809
Independent agencies:								
American Battle Monuments Commission.....	15	14		1	138	143	5	
Atomic Energy Commission.....	1,768	1,652		116	4,803	4,811	8	
Civil Aeronautics Board.....	274	254		20	670	682	12	
Civil Service Commission.....	1,480	1,167		313	4,228	4,227		1
Export-Import Bank of Washington.....	61	55		6	121	122		1
Federal Communications Commission.....	535	485		50	1,353	1,349		4
Federal Deposit Insurance Corporation.....	289	355		34	1,052	1,062	10	
Federal Mediation and Conciliation Service.....	221	185		36	374	363		6
Federal Power Commission.....	341	311		30	824	819		5
Federal Security Agency ²	9,234	9,007		227	35,114	35,267	153	
Federal Trade Commission.....	296	259		37	650	662	12	
Federal Works Agency.....	5,978	5,776		202	23,081	23,124	43	
General Accounting Office.....	3,034	2,773		261	9,432	9,430		2
Government Printing Office.....	2,231	2,237	6		6,999	7,037	38	
Housing and Home Finance Agency.....	3,806	3,741		65	11,862	11,873	11	
Indian Claims Commission.....	7	6		1	11	11		
Interstate Commerce Commission.....	913	825		87	2,248	2,228		20
Maritime Commission.....	1,878	1,910	32		6,571	6,631	60	
National Advisory Committee for Aeronautics.....	2,236	2,059		177	6,895	6,904	9	
National Archives.....	135	115		19	388	388		
National Capital Housing Authority.....	81	75		6	308	305		3
National Capital Park and Planning Commission.....	13	7		6	18	18		
National Capital Sesquicentennial Commission.....	1	1			3	3		
National Gallery of Art.....	82	79		3	320	325	5	
National Labor Relations Board.....	567	509		58	1,582	1,517		65
National Mediation Board.....	58	48		10	108	113	5	
Panama Canal.....	3,216	3,590	374		22,920	22,804		116
Railroad Retirement Board.....	706	654		52	2,421	2,451	30	
Reconstruction Finance Corporation.....	1,989	1,771		218	4,578	4,589	11	
Securities and Exchange Commission.....	486	450		36	1,165	1,163		2
Selective Service System.....	1,212	1,126		86	5,903	5,834		69
Smithsonian Institution.....	175	169		15	549	547		2
Tariff Commission.....	108	99		9	240	240		
Tax Court of the United States.....	53	52			122	121		1
Tennessee Valley Authority.....	3,775	3,914	139		13,771	13,581		190
Veterans' Administration.....	54,948	49,935		5,012	212,928	211,453		1,475
Total, excluding National Military Establishment.....	380,263	307,968	636	72,931	1,210,625	1,210,242	3,759	4,142
Net decrease, excluding National Military Establishment.....				72,295			383	
National Military Establishment:								
Office of the Secretary of Defense.....	450	434		16	1,226	1,295	69	
Department of the Army:								
Inside continental United States.....	78,463	73,617		4,846	299,841	300,624	783	
Outside continental United States.....	15,655	13,759		1,896	68,043	69,400	1,357	
Department of the Air Force:								
Inside continental United States.....	32,661	33,800	1,139		132,205	132,985	780	
Outside continental United States.....	5,631	4,497		1,134	26,584	27,247	663	
Department of the Navy:								
Inside continental United States.....	100,754	93,506		7,248	364,285	363,186		1,099
Total, National Military Establishment.....	233,614	219,613	1,139	15,140	892,184	894,737	3,652	1,099
Net change, National Military Establishment.....			14,001				2,553	
Grand total including National Military Establishment.....	613,877	527,581	1,775	88,071	2,102,809	2,104,979	7,411	5,241
Net change, including National Military Establishment.....			86,296				2,170	

¹ Exclusive of the personnel and pay of the Central Intelligence Agency.

² Includes personnel and pay of Howard University and the Columbia Institution for the Deaf.

³ Revised.

TABLE II.—Federal personnel inside continental United States employed by executive agencies during February 1949 and comparison with January 1949

Department or agency	January	February	Increase	Decrease	Department or agency	January	February	Increase	Decrease
Executive departments (except National Military Establishment):					Independent agencies—Continued				
Agriculture.....	71,622	71,784	162		Indian Claims Commission.....	11	11		
Commerce.....	36,922	37,199	277		Interstate Commerce Commission.....	2,248	2,228		20
Interior.....	44,260	44,222		38	Maritime Commission.....	6,532	6,592	60	
Justice.....	25,868	25,710		158	National Advisory Committee for Aeronautics.....	6,895	6,904	9	
Labor.....	3,485	3,363		122	National Archives.....	388	388		
Post Office.....	505,774	505,700		74	National Capital Housing Authority.....	308	305		3
State.....	7,744	7,792	48		National Capital Park and Planning Commission.....	18	18		
Treasury.....	88,359	90,613	2,254		National Capital Sesquicentennial Commission.....	3	3		
Executive Office of the President:					National Gallery of Art.....	320	325	5	
White House Office.....	218	225	7		National Labor Relations Board.....	1,570	1,509		64
Bureau of the Budget.....	530	531	1		National Mediation Board.....	108	113	5	
Executive Mansion and Grounds.....	69	60		9	Panama Canal.....	647	646		1
National Security Council.....	22	22			Railroad Retirement Board.....	2,421	2,451	30	
National Security Resources Board.....	410	407		3	Reconstruction Finance Corporation.....	4,565	4,577	12	
Council of Economic Advisers.....	39	39			Securities and Exchange Commission.....	1,165	1,163		2
Emergency war agencies: Office of Defense Transportation.....	39	39			Selective Service System.....	5,742	5,664		78
Postwar agencies:					Smithsonian Institution.....	543	542		1
Displaced Persons Commission.....	56	66	10		Tariff Commission.....	240	240		
Economic Cooperation Administration.....	901	931	30		Tax Court of the United States.....	122	121		1
Office of the Housing Expediter.....	4,831	4,859	28		Tennessee Valley Authority.....	13,771	13,581		190
Philippine Alien Property Administration.....	2	2			Veterans' Administration.....	211,327	209,833		1,494
Philippine War Damage Commission.....	5	5							
War Assets Administration.....	6,693	4,896		1,797	Total, exclusive of National Military Establishment.....	1,155,645	1,154,794	3,223	4,074
Independent agencies:					Net decrease, exclusive of National Military Establishment.....			851	
American Battle Monuments Commission.....	7	10	3		National Military Establishment:				
Atomic Energy Commission.....	4,800	4,808	8		Office of the Secretary of Defense.....	1,226	1,295	69	
Civil Aeronautics Board.....	650	662	12		Department of the Army.....	299,841	300,624	783	
Civil Service Commission.....	4,223	4,222		1	Department of the Air Force.....	132,205	132,985	780	
Export-Import Bank of Washington.....	120	119		1	Department of the Navy.....	322,380	321,428		952
Federal Communications Commission.....	1,318	1,314		4	Total, National Military Establishment.....	755,652	756,332	1,682	952
Federal Deposit Insurance Corporation.....	1,052	1,060	8		Net increase, National Military Establishment.....			680	
Federal Mediation and Conciliation Service.....	374	368		6	Grand total, including National Military Establishment.....	1,911,297	1,911,127	4,855	5,025
Federal Power Commission.....	824	819		5	Net decrease, including National Military Establishment.....			170	
Federal Security Agency.....	34,141	34,279	138						
Federal Trade Commission.....	22,448	22,500	52						
Federal Works Agency.....	9,432	9,430		2					
General Accounting Office.....	6,999	7,037	38						
Government Printing Office.....									
Housing and Home Finance Agency.....	11,814	11,828	14						

* Exclusive of the personnel of the Central Intelligence Agency.

* Includes personnel of Howard University and the Columbia Institute for the Deaf.

† Revised.

TABLE III.—Federal personnel outside continental United States employed by the executive agencies during 1949 and comparison with January 1949

Department or agency	January	February	Increase	Decrease	Department or agency	January	February	Increase	Decrease
Executive departments (except National Military Establishment):					Independent agencies—Continued				
Agriculture.....	2,058	2,156	98		Federal Works Agency.....	683	624		9
Commerce.....	3,004	3,041	37		Housing and Home Finance Agency.....	48	45		3
Interior.....	5,328	5,679	351		Maritime Commission.....	39	39		
Justice.....	477	476		1	National Labor Relations Board.....	12	11		1
Labor.....	36	36			Panama Canal.....	22,273	22,158		115
Post Office.....	1,733	1,730		3	Reconstruction Finance Corporation.....	13	12		1
State.....	12,371	12,418	47		Selective Service System.....	161	170	9	
Treasury.....	656	689	33		Smithsonian Institution.....	6	5		1
Postwar agencies:					Veterans' Administration.....	1,601	1,620	19	
Displaced Persons Commission.....	91	113	22		Total, excluding National Military Establishment.....	54,980	55,448	645	177
Economic Cooperation Administration.....	2,177	2,147		30	Net increase, excluding National Military Establishment.....			468	
Office of the Housing Expediter.....	25	25			National Military Establishment:				
Philippine Alien Property Administration.....	126	125		1	Department of the Army.....	68,043	69,400	1,357	
Philippine War Damage Commission.....	928	938	10		Department of the Air Force.....	26,584	27,247	663	
War Assets Administration.....	15	3		12	Department of the Navy.....	41,905	41,758		147
Independent agencies:					Total, National Military Establishment.....	136,532	138,405	2,020	147
American Battle Monuments Commission.....	131	133	2		Net increase, National Military Establishment.....			1,873	
Atomic Energy Commission.....	3	3			Grand total, including National Military Establishment.....	191,512	193,853	2,665	324
Civil Aeronautics Board.....	20	20			Net increase, including National Military Establishment.....			2,341	
Civil Service Commission.....	5	5							
Export-Import Bank of Washington.....	2	2							
Federal Communications Commission.....	85	85							
Federal Deposit Insurance Corporation.....		2	2						
Federal Security Agency.....	973	988	15						

TABLE IV.—Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during February 1949 and comparison with January 1949

Department or agency	January	February	Increase	Decrease	Department or agency	January	February	Increase	Decrease
Executive departments (except National Military Establishment):					National Military Establishment—Con.				
Commerce.....	1,098	1,116	18		Department of the Army—Con.				
Interior.....	4,509	4,372		137	Outside continental United States.....	45,627	46,989	1,362	
State.....	353	352		1	Department of the Air Force:				
Treasury.....	4,352	4,402	50		Inside continental United States.....	75,764	75,950	186	
Independent agencies:					Outside continental United States.....	19,286	19,923	637	
Atomic Energy Commission.....	150	151	1		Department of the Navy.....	252,967	251,520		1,447
Housing and Home Finance Agency.....	6	6			Total, National Military Establishment.....	554,406	555,258	2,299	1,447
Panama Canal.....	1,853	1,831		22	Net increase, National Military Establishment.....			852	
Tennessee Valley Authority.....	7,437	7,258		179	Grand total, including National Military Establishment.....	574,164	574,746	2,368	1,785
Total, excluding National Military Establishment.....	19,758	19,488	69	339	Net increase, including National Military Establishment.....			582	
Net decrease, excluding National Military Establishment.....			270						
National Military Establishment:									
Department of the Army:									
Inside continental United States.....	160,762	160,876	114						

TABLE V.—Paid civilian employment in the executive branch of the Federal Government, by agency and State of official duty station, December 1948, continental United States (excluding Alaska and Panama Canal Zone)

[This chart was prepared and released by the U. S. Civil Service Commission as of Mar. 18, 1949.]

Agency	Total	Washington, D. C., metropolitan area	Ala-bama	Ari-sona	Ar-kan-sas	Cal-i-for-nia	Colo-rado	Con-necti-cut	Del-a-ware	Flor-ida	Geor-gia	Idaho	Ill-i-nois	Indi-ana	Iowa	Kan-sas	Ken-tucky
Total.....	1,899,143	210,629	31,845	12,050	14,305	206,014	22,191	11,432	1,765	33,618	40,166	5,832	97,742	29,803	15,369	19,307	24,405
White House Office.....	209	204															
Bureau of the Budget.....	521	497				6	6						6				
Council of Economic Advisers.....	38	38															
Executive Mansion and Grounds.....	64	64															
National Security Council.....	20	20															
National Security Resources Board.....	353	353															
Office of Defense Transportation.....	26	24															
Philippine Alien Property Admin-istration.....	2	2															
War Assets Administration.....	7,326	1,217	21	25	14	459	106	6		50	283		892	5	271	3	15
State.....	7,625	5,978				18				5	1						
Treasury.....	88,801	19,605	619	212	217	5,301	908	814	87	971	1,160	127	9,111	1,005	593	527	1,116
Secretary of Defense.....	1,159	1,136															
Department of the Army.....	297,019	26,567	6,053	736	3,343	26,474	4,714	11	81	649	11,707	13	14,634	4,750	531	2,282	7,778
Department of the Navy.....	321,510	35,778	10	884	715	82,721	68	1,381		15,248	892	935	5,165	4,262		126	886
Department of the Air Force.....	130,946	4,310	7,344	1,612	1	15,794	1,287	2	19	3,143	6,422	51	3,235	627	55	1,518	122
Justice.....	25,666	7,998	188	246	79	2,037	255	237	13	473	586	29	581	375	23	393	727
Post Office.....	506,585	7,623	6,247	1,910	5,029	38,830	4,672	6,962	959	6,778	7,913	1,734	41,329	12,141	9,280	7,412	7,632
Interior.....	44,185	4,131	170	4,235	144	3,472	4,000	20		285	213	881	270	510	58	374	227
Agriculture.....	70,054	10,822	1,482	606	1,426	4,255	1,586	137	60	955	2,139	1,053	2,625	1,072	1,429	1,410	1,159
Commerce.....	87,072	13,408	365	207	260	2,101	439	103	55	912	914	191	1,138	500	257	465	277
Labor.....	3,422	1,629	63	7	10	133	20	24	2	17	54	5	170	34	20	45	19
American Battle Monuments Com-mission.....	7	7															
Atomic Energy Commission.....	4,824	664				144	60						241		9		
Board of Governors, Federal Re-serve System.....	529	513			1		2						3				
Civil Aeronautics Board.....	643	587				11	2			2	5		4				
Civil Service Commission.....	4,066	2,240			1	265	83	1		2	171		170				
Displaced Persons Commission.....	45	45															
Economic Cooperation Administra-tion.....	854	852															
Export-Import Bank.....	121	121															
Federal Communications Commis-sion.....	1,318	883	2			69	3			12	31	3	13				4
Federal Deposit Insurance Corpo-ration.....	1,029	319	4		4	22	2	7	2	4	42		52	19	17	4	9
Federal Mediation and Concilia-tion Service.....	377	72	3	1	1	25	4	3		4	15		25	5	4	1	3
Federal Power Commission.....	831	662				50					29		31				
Federal Security Agency.....	33,994	10,879	500	53	262	1,350	201	92	16	243	1,021	23	1,124	149	74	92	565
Federal Trade Commission.....	634	563				11							23				
Federal Works Agency.....	22,321	12,527	160	60	76	1,186	670	40	17	99	265	66	613	96	82	17	84
General Accounting Office.....	9,413	6,468	1			110	16			11	43		131	5	7	7	8
Government Printing Office.....	6,953	6,788				28	22						32				
Housing and Home Finance Agency.....	11,548	3,063	79	54	61	1,330	58	107		171	203	19	333	193	61	248	48
Indian Claims Commission.....	11	11															
Interstate Commerce Commission.....	2,286	1,577	5	5	8	48	19	2		10	19	2	60	9	9	8	7
Maritime Commission.....	9,072	1,331	434			1,089				456	5						
National Advisory Committee for Aeronautics.....	6,870	130				1,098											
National Archives.....	380	363															
National Capital Housing Au-thority.....	306	306															
National Capital Park and Plan-ning Commission.....	7	7															
National Capital Sesquicentennial Commission.....	3	3															
National Labor Relations Board.....	1,643	561	2			122	12			2	60		80	9			
National Mediation Board.....	107	41											66				
Office of the Housing Expediter.....	4,813	301	52	28	25	498	44	50	12	116	197	7	310	92	37	44	29
Panama Canal.....	130	99											4				
Panama Railroad Company.....	505					3											

¹ GENERAL NOTE.—It is emphasized that the above break-down of Federal civilian employees of the executive agencies by States was prepared by the U. S. Civil Service Commission. It is noted that the total figures in this break-down are not identical with the number of Federal agency civilian employees of the Federal Government reported for December by the Joint Committee on Reduction of Nonessential Federal Expenditures. The difference of 11,546 between the figures in these 2 reports is accounted for by the fact that the joint committee report excludes the employees of the Federal Reserve System, Maritime Commission trainees, and employees of the Office of the Comptroller of the Currency, which are included by the Civil Service Commission. The employees of the Federal Reserve System and the Office of the Comptroller of the Currency are paid from funds collected through levies on banks. The Joint Committee report includes persons of the "expert consultant" type who serve without compensation, and persons receiving compensation while on terminal leave, which are excluded in the Civil Service report.

² Partially estimated.

TABLE V.—Paid civilian employment in the executive branch of the Federal Government, by agency and State of official duty station, December 1948, continental United States (excluding Alaska and Panama Canal Zone)—Continued

Agency	Total	Washington, D. C., metropolitan area	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	Florida	Georgia	Idaho	Illinois	Indiana	Iowa	Kansas	Kentucky
Philippine War Damage Commission	7	7															
Railroad Retirement Board	2,388	7	9	5	7	86	51	2		9	81	2	1,419	11	7	9	8
Reconstruction Finance Corporation	4,610	1,588	82	3	68	215	54			100	110		196				64
Securities and Exchange Commission	1,159	829				35	18				13		49				
Selective Service System	5,819	228	113	83	105	315	92	54	16	96	209	58	224	131	149	128	140
Smithsonian Institution	887	855											12				
Tariff Commission	239	231															
Tax Court of the United States	124	124															
Tennessee Valley Authority	13,982	8	3,953							3	9						143
Veterans' Administration	201,800	13,295	3,884	1,547	2,448	16,302	2,718	1,377	422	2,792	5,353	633	13,366	3,537	2,664	4,182	3,828

Agency	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota
Total	22,679	12,991	40,464	55,992	36,745	19,320	15,419	48,905	7,602	16,060	3,545	2,959	42,031	10,910	181,110	24,119	5,956
White House Office				1											3		
Bureau of the Budget																	
Council of Economic Advisers																	
Executive Mansion and Grounds																	
National Security Council																	
National Security Resources Board																	
Office of Defense Transportation								2									
Philippine Alien Property Administration																	
War Assets Administration	88	40		71	81	3	45	271			24		142		967	5	
State	6			4	1	1		1		1					799	1	
Treasury	1,328	424	3,104	2,734	2,471	1,245	219	3,812	193	459	48	118	1,797	119	11,184	657	176
Secretary of Defense															23		
Department of the Army	5,190	183	13,201	6,197	5,751	1,239	3,425	13,123	441	3,115	1	28	14,410	1,470	25,605	2,122	658
Department of the Navy	1,747	6,076	7,025	11,714	92	121	63	152		1,502	1,200		4,129	108	19,577	6,020	
Department of the Air Force	1,198	871	1,121	2,141	518	103	1,449	789	346	1,149	87	202	1,697	1,529	5,375	147	
Justice	211	152	211	393	679	234	35	126		104			285	51	3,060	121	75
Post Office	5,480	3,614	5,857	21,412	10,102	8,180	4,341	17,875	1,852	5,488	410	1,985	14,331	1,534	79,369	7,343	2,520
Interior	145	226	97	217	72	414	229	879	2,108	964	1,053	19	2,248	30	2,248	272	847
Agriculture	2,289	218	415	411	934	1,582	1,704	1,649	1,290	1,534	185	156	476	945	1,694	1,488	655
Commerce	642	114	144	335	422	292	304	1,751	372	321	140	61	150	347	1,781	392	171
Labor	22	13	21	113	47	28	12	46	6	9	4	15	5	256	10	3	
American Battle Monuments Commission																	
Atomic Energy Commission				2										1,175	547	4	
Board of Governors, Federal Reserve System				1	1			19					37	1			
Civil Aeronautics Board					2	2		6							13		
Civil Service Commission	73			117	2	83	1	124		3					248		
Displaced Persons Commission															2		
Economic Cooperation Administration																	
Export-Import Bank																	
Federal Communications Commission	7	3	41	25	23	4	3	15		15					61		
Federal Deposit Insurance Corporation	4	3	7	16	9	32	5	55		8			44		138	7	1
Federal Mediation and Conciliation Service	2		1	19	19	3	1	21	1	1		2	3		27	3	
Federal Power Commission															27		
Federal Security Agency	984	110	5,739	734	495	112	121	801	141	70	19	27	175	176	3,003	152	22
Federal Trade Commission	7														26		
Federal Works Agency	96	35	179	386	40	125	61	525	44	75	6	18	109	45	1,650	112	20
General Accounting Office	32		28	39	61	24		774	4	5				9	109	951	
Government Printing Office			1												43		
Housing and Home Finance Agency	86	18	229	64	699	76	107	115	12	77	13	35	231	36	999	115	
Indian Claims Commission																	
Interstate Commerce Commission	12	2	5	32	9	29		52	5	14		2	12	4	69	20	3
Maritime Commission	170	196	156	196			290						224		2,603	488	
National Advisory Committee for Aeronautics																	
National Archives															17		
National Capital Housing Authority																	
National Capital Park and Planning Commission																	
National Capital Sesquicentennial Commission																	
National Labor Relations Board	36		46	64	70	37		66							169	9	
National Mediation Board																	
Office of the Housing Expediter	49	19	52	203	108	65	29	117	16	83	9	11	107	16	741	61	6
Panama Canal				3											9		
Panama Railroad Company															502		
Philippine War Damage Commission																	
Railroad Retirement Board	11	2	7	12	7	63	3	82	9	8	1		9	6	160	6	4
Reconstruction Finance Corporation	97		8	106	165	58		170	30	35	2		2	1	290	50	
Securities and Exchange Commission				11	3	2		2							139		
Selective Service System	128	82	75	130	206	126	107	261	67	141	26	28	85	48	276	172	70
Smithsonian Institution															8		
Tariff Commission																	
Tax Court of the United States																	
Tennessee Valley Authority							100									124	
Veterans' Administration	2,539	1,170	2,694	8,089	4,656	6,037	2,763	4,929	539	929	298	254	3,510	988	19,177	3,267	724

Agency	Ohio	Oklahoma	Oregon	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming	Undetermined
Total	81,130	32,025	15,897	111,158	11,117	18,745	7,427	36,210	86,903	20,024	3,082	66,268	49,157	10,531	20,198	4,913	178
White House Office																	
Bureau of the Budget																	
Council of Economic Advisers									6								
Executive Mansion and Grounds																	
National Security Council																	
National Security Resources Board																	
Office of Defense Transportation																	

* Excludes employment within the Washington, D. C., metropolitan area.

* Partially estimated.

TABLE V.—Paid civilian employment in the executive branch of the Federal Government, by agency and State of official duty station, December 1948, continental United States (excluding Alaska and Panama Canal Zone)—Continued

Agency	Ohio	Oklahoma	Oregon	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming	Undetermined
Philippine Alien Property Administration																	
War Assets Administration	698	15	25	703	26	14		3	526	9		7	184	15			
State	2			4					696								
Treasury	2,812	493	476	4,366	266	314	129	525	2,620	225	199	977	1,482	404	992	62	
Secretary of Defense																	
Department of the Army	10,921	2,633	2,990	19,012	164	1,732	616	6,398	17,754	7,324	51	8,660	10,201	1,342	760	8	
Department of the Navy	1,833	1,712	364	33,055	7,200	8,726		933	5,653	3,091		33,428	15,847	593	75	3	
Department of the Air Force	20,596	13,486	1	5,520	1	673	299	938	18,172	4,143	1	1,067	1,416	1	1	865	
Justice	650	368	97	917	31	38	12	181	1,567	72	168	449	791	244	96	9	
Post Office	25,941	6,890	4,675	30,373	2,520	3,840	2,693	7,559	19,241	2,018	1,752	7,835	7,394	4,507	11,252	887	
Interior	251	1,867	2,204	1,067	4	54	1,368	264	673	902	6	635	3,605	269	206	1,463	178
Agriculture	1,088	1,397	1,850	1,441	70	1,221	778	1,068	5,143	861	210	1,095	1,203	550	1,712	396	
Commerce	716	610	332	555	51	212	150	423	2,116	291	61	443	1,248	140	190	203	
Labor	111	17	19	159	12	13	4	23	94	7	3	25	29	8	29	3	
American Battle Monuments Commission																	
Atomic Energy Commission	46							1,537					339				
Board of Governors, Federal Reserve System	2			1				1	2								
Civil Aeronautics Board									6				3				
Civil Service Commission	144	3	2	132		1			100	3		1	93		3		
Displaced Persons Commission																	
Economic Cooperation Administration																	
Export-Import Bank																	
Federal Communications Commission	2	4	24	8	5				33			9	16				
Federal Deposit Insurance Corporation	27	9	2	37		3	5	10	26		5	23	6	4	36		
Federal Mediation and Conciliation Service	37	3	5	23	1	2		4	11	1		5	10	2	3		
Federal Power Commission									32								
Federal Security Agency	676	77	86	792	45	152	21	262	1,120	32	22	437	516	92	119	20	
Federal Trade Commission													4				
Federal Works Agency	236	65	305	672	43	75	14	116	477	85	26	157	298	39	74	33	
General Accounting Office	392	1	16	37				13	53	1		15	34	1	7		
Government Printing Office	22												17				
Housing and Home Finance Agency	357	142	107	315	14	160	28	88	363	128	23	475	206	45	126	31	
Indian Claims Commission																	
Interstate Commerce Commission	40	7	20	44	2	3	2	23	39	13		17	9	5	4		
Maritime Commission			213	42					197			791	191				
National Advisory Committee for Aeronautics	2,341											3,301					
National Archives																	
National Capital Housing Authority																	
National Capital Park and Planning Commission																	
National Capital Sesquicentennial Commission																	
National Labor Relations Board	87		15	108		2		9	43				39				
National Mediation Board																	
Office of the Housing Expediter	284	56	40	223	21	21	10	76	285	18	9	69	79	48	80	10	
Panama Canal				15													
Panama Railroad Company																	
Philippine War Damage Commission																	
Railroad Retirement Board	103	5	6	39		2	2	17	68	8		11	8	7	7	2	
Reconstruction Finance Corporation	179	80	81	147				74	312	41		93	108			1	
Securities and Exchange Commission	22	2							18				16				
Selective Service System	236	130	50	248	24	85	37	147	252	46	21	171	57	76	137	33	
Smithsonian Institution																	
Tariff Commission																	
Tax Court of the United States																	
Tennessee Valley Authority								9,636				6					
Veterans' Administration	10,253	1,953	1,892	11,103	617	1,401	1,259	5,882	9,205	705	525	6,072	3,707	2,139	4,288	883	

* Excludes employment within the Washington, D. C., Metropolitan area.

† Partially estimated.

Source: U. S. Civil Service Commission, March 1949.

STATEMENT BY SENATOR BYRD

Civilian personnel in the executive branch of the Federal Government in February increased by 2,170. The total employment for the month was 2,104,979.

Civilian employment by the National Military Establishment for February totaled 894,737—a net increase of 58,000 since February 1948. The February 1949 increase was 2,553. This was partially offset by a decrease of 383 in the civilian agencies of the Government.

In addition to the Military Establishment there was an increase of 2,287 in the Treasury Department and lesser increases in 24 other agencies.

Principal decreases were reported by the War Assets Administration which is in liquidation and the Veterans' Administration. In addition to these decreases there were lesser decreases in a score of other agencies.

Civilian employment inside continental United States decreased by 170 during the month and outside continental United States it increased by 2,341.

These figures were revealed today in the monthly check of civilian employment in the executive branch of the Federal Government compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FEDERAL PERSONNEL BY STATES

In addition to the usual break-down of civilian employment the committee this month includes also a break-down of civilian employment by the various agencies of the Government showing the number of employees in each State of the Union and the District of Columbia as of December 1948. This break-down was compiled as of this month by the United States Civil Service Commission. It shows that the State of California is running a close race with the District of Columbia in the number of Federal employees. As of December the Federal executive agencies were employing 206,014 people in the State of California as compared with 210,629 in the District of Columbia.

The number of employees in New York State ranked next with 181,110. Outside of the District of Columbia, Pennsylvania was the third ranking State in terms of Federal employees with 111,158. Illinois was fourth with 97,742. Delaware was forty-eighth among the States with 1,765 Federal employees.

In the field the Post Office and the Veterans' Administration as a rule were the largest employers of Federal civilian personnel, with the Military Establishment employing large numbers in certain States.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER:

S. 1546. A bill disclaiming and reconveying any interest of the United States to the mineral rights in the lands comprising the Peason Artillery Range, La.; to the Committee on Interior and Insular Affairs.

By Mr. LONG (for himself and Mr. ELLENDER):

S. 1547. A bill to amend the Flood Control Act of May 15, 1928, as amended; to the Committee on Public Works.

By Mr. TAYLOR:

S. 1548. A bill to authorize the Secretary of the Interior to make arrangements

for adequate educational facilities in connection with the opening of lands on the Hunt unit of the Minidoka reclamation project, Idaho; and

S. 1549. A bill to authorize the Secretary of the Interior to make provision for public roads in connection with the construction of the Hunt unit of the Minidoka reclamation project, Idaho; to the Committee on Interior and Insular Affairs.

S. 1550. A bill to authorize the issuance of a stamp commemorative of the one hundredth anniversary of the establishment of the Department of the Interior; to the Committee on Post Office and Civil Service.

By Mr. LODGE:

S. 1551. A bill for the relief of Jose Augusto Pereira; to the Committee on the Judiciary.

By Mr. DOWNEY:

S. 1552. A bill for the relief of Ernest E. Heintz; and

S. 1553. A bill for the relief of Mary Ann Wilkinson; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 1554. A bill to extend the time within which claim may be filed by O. M. Shaller of Lake Butler, Fla.; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 1555. A bill to amend section 144 (b) (4) (A) of the Internal Revenue Code to make applicable to pumice and scoria the percentage allowance for depletion applicable to certain other minerals, and for other purposes; to the Committee on Finance.

By Mr. MAYBANK:

S. 1556. A bill to make certain Government-owned facilities available for international broadcasting in the furtherance of authorized programs of the Department of State, and for other purposes; to the Committee on Banking and Currency.

By Mr. McCARRAN:

S. 1557. A bill to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia; to the Committee on the District of Columbia.

S. 1558. A bill for the relief of Herbert L. Hunter; to the Committee on the Judiciary.

By Mr. MAYBANK (for himself and Mr. TOBEY):

S. 1559. A bill for the establishment of the National Monetary Commission; to the Committee on Banking and Currency.

REPEAL OF OLEOMARGARINE TAXES—AMENDMENT

Mr. JOHNSON of Colorado submitted amendments intended to be proposed by him to the bill (H. R. 2023) to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes, which were referred to the Committee on Finance, and ordered to be printed.

AMENDMENT OF COMMODITY CREDIT CORPORATION CHARTER AND STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACTS—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, which was ordered to lie on the table and to be printed.

WIDOWS' ANNUITIES UNDER CIVIL SERVICE RETIREMENT—AMENDMENT

Mr. LANGER. Mr. President, Public Law No. 426, enacted last year, provided

that under the Retirement Act widows should get annuities or benefits. However, for some reason or other, widows under the Panama Canal Retirement Act were excluded. In order to take care of widows of retirees from service in the Panama Canal Zone, I now submit for appropriate reference and printing an amendment intended to be proposed by me to Senate bill 1081, to repeal the Canal Zone Retirement Act, and to extend the Civil Service Retirement Act, with amendments, to employees affected by such repeal, and I ask unanimous consent that the amendment, together with a statement by Mrs. Louise G. Franklet, of Bradenton, Fla., be printed in the RECORD.

There being no objection, the amendment was referred to the Committee on Post Office and Civil Service, ordered to be printed, and to be printed in the RECORD, together with the statement, as follows:

AMENDMENT

On page 5, before the period in line 6, insert a colon and the following: "And provided further, That any such officer or employee who shall have died during the period beginning on April 1, 1948, and ending on the last day of the month following the month in which this paragraph is enacted, leaving a surviving wife or husband, shall be deemed to have made such election and to have named such wife or husband to receive an annuity as provided in the proviso in such paragraph, but no such annuity shall become payable to such wife or husband prior to the date of enactment of this paragraph."

STATEMENT ON WIDOWS' ANNUITIES UNDER CIVIL SERVICE RETIREMENT

The Panama Canal Retirement Act at present provides no annuity benefit for the widows of Canal-Railroad retirees.

The Civil Service Retirement Act does provide for widows of retirees. The amendment authorizing this became effective April 1, 1948 (Public Law 426).

There has been introduced in the Senate of the present Eighty-first Congress, a bill, S. 1081, which proposes to merge the Panama Canal and Civil Service Retirement Systems.

If enacted into law, in its present form, S. 1081 would provide for the widows of previously retired Canal employees, as an optional alternative to be exercised by the retiree annuitant under the provisions of the Civil Service Act, as amended by Public Law 426.

This optional alternative involves a possible increase of 25 percent in the previously established annuity, not to exceed \$300 a year, as in lieu thereof the establishing of a future annuity for the surviving widow in an amount equal to 50 percent of the previously established annuity but not to exceed \$600 a year.

There has also been introduced, in the House of Representatives, a bill, H. R. 1722, which proposes to modify the above optional alternative for widows under the Civil Service Act. H. R. 1722 proposes to establish an annuity for the surviving widow if the retiree accepts a 10-percent reduction in his annuity after it has been increased by 25 percent not to exceed \$300 a year, and thereby establish a future annuity for the surviving widow of 50 percent of the amount of above resultant annuity.

It remains to be developed whether the present Congress will enact S. 1081 without change and whether or not it will become effective as of April 1, 1948, to place the Pan-

ama Canal retiree in the same status as civil-service retirees.

It would be quite a discrimination against Panama Canal retirees if the increase in previously established annuities was not made applicable the same time as other Government retirees simply because the past Eightieth Congress did not get around to consider their case before it adjourned in June 1948.

It is not now apparent what consideration would be given to those who become widows before the above merger becomes law, as in case the option has not been exercised by a retiree before his death.

Mrs. LOUISE G. FRANKLET.

BRADENTON, FLA.

HOUSE BILL REFERRED

The bill (H. R. 4046) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

NOTICE OF HEARING ON NOMINATION OF PHILIP J. FINNEGAN TO BE JUDGE, UNITED STATES COURT OF APPEALS, SEVENTH CIRCUIT

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Monday, April 18, 1948, at 11:30 a. m., in room 424, Senate Office Building, upon the nomination of Philip J. Finnegan, of Illinois, to be judge of the United States Court of Appeals for the Seventh Circuit, vice Hon. William M. Sparks, retired. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN], chairman; the Senator from Rhode Island [Mr. McGrath], and the Senator from Michigan [Mr. FERGUSON].

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent that the subcommittee of the Committee on Labor and Public Welfare, which is now holding hearings on amendments to the Fair Labor Standards Act, be permitted to continue its hearings during the session of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GEORGE. Mr. President, I ask unanimous consent that the members of the Finance Committee may be privileged to continue the hearing on the oleomargarine bill during the afternoon.

The VICE PRESIDENT. Without objection, consent is granted.

LEAVE OF ABSENCE

Mr. McCARRAN. Mr. President, I ask unanimous consent that I be excused from attendance upon the sessions of the Senate for a period of 2 weeks, when I shall be absent on official business.

The VICE PRESIDENT. Without objection, it is so ordered.

VETERANS' PENSIONS—LETTER FROM S. FRED OLSEN

[Mr. CAIN asked and obtained leave to have printed in the RECORD a letter relative

to pensions for veterans addressed to him by S. Fred Olsen, of Seattle, Wash., which appears in the Appendix.]

MORAL REARMAMENT—LETTER FROM H. KENASTON TWITCHELL

[Mr. CAIN asked and obtained leave to have printed in the RECORD a letter on the subject of moral rearmament, addressed to him by H. Kenaston Twitchell, which appears in the Appendix.]

INVESTIGATION OF ACCOUNTS OF THE COMMODITY CREDIT CORPORATION—EDITORIAL FROM WASHINGTON (PA.) OBSERVER

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an editorial entitled "Warren Backs Williams," published in the Washington (Pa.) Observer of April 4, 1949, which appears in the Appendix.]

PENNSYLVANIA GRIDIRON DINNER—SONG BY MILTON V. BURGESS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a song entitled "Roll Along, Pennsylvania," composed by Milton V. Burgess for the Pennsylvania gridiron show at Harrisburg, Pa., on April 5, 1949, which appears in the Appendix.]

THE MILITARY PROBLEM IN THE PACIFIC—EDITORIAL COMMENT

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD two editorials, one entitled "Pacific Retreat—Military Planners Are About To Let Down the United States and Asia," from the current issue of Life magazine, and the second, entitled "United States Neglecting to Protest Pacific Interests," published in the Washington Sunday Star of April 3, 1949, which appear in the Appendix.]

THE NORTH ATLANTIC SECURITY PACT—EDITORIAL FROM CHICAGO DAILY TRIBUNE

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Invitation to the Hangman," published in the Chicago Daily Tribune of April 6, 1949, which appears in the Appendix.]

RATIFICATION OF NORTH ATLANTIC SECURITY PACT

[Mr. NEELY asked and obtained leave to have printed in the RECORD an article entitled "Petition Asks Senate To Ratify Atlantic Treaty," published in the New York Herald Tribune of April 5, 1949, which appears in the Appendix.]

TOP-LEVEL SALARIES—EDITORIAL FROM THE WASHINGTON POST

[Mr. FLANDERS asked and obtained leave to have printed in the RECORD an editorial entitled "Top-Level Salaries," published in the Washington Post of April 11, 1949, which appears in the Appendix.]

WHY DEMOCRACY WORKS—PRIZE-WINNING ESSAY BY MISS ISABEL BERN

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD an essay entitled "Why Democracy Works," by Miss Isabel Bern, as printed in the Anderson (S. C.) Independent on April 4, 1949, which appears in the Appendix.]

INTERSTATE COMPACT RELATING TO BETTER UTILIZATION OF FISHERIES

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 42) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating

the Gulf States Marine Fisheries Commission, which was, on page 6, line 16, after the word "limit", to insert "or add to."

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSON of Texas, Mr. O'CONOR, and Mr. BREWSTER conferees on the part of the Senate.

THE CALENDAR

The VICE PRESIDENT. The calendar, under rule VIII, is in order.

Before the call of the calendar is begun, the Chair would like to make a statement. His attention has been called to the confusion which frequently arises when a bill is called and a Senator, without rising from his seat, says "Over," or "I object." That is not in accordance with the rule. The rule requires that before a Senator may make any statement he shall rise from his seat and address the Chair. It is difficult for the reporters and the clerks at the desk to know which Senator objects to a bill unless that course is pursued. Their ears must be fairly well attuned to voices in order to enable them to know which Senator objects, if a Senator remains in his seat and objects.

The Chair will ask Senators who intend to object when a bill is called to rise and address the Chair, so that the RECORD may properly show who objects to the consideration of a bill.

The clerk will proceed to state the business on the calendar.

BILLS PASSED OVER

The bill (S. 130) to provide for the demonstration of public library service in areas without such service or with inadequate library facilities was announced as first in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. TAFT. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 206) relating to the immigration status of the lawful wives and children of Chinese-treaty merchants was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. RUSSELL. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 88) to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. DONNELL, Mr. LODGE, and Mr. THYE rose.

The VICE PRESIDENT. The Senator from Missouri is recognized.

Mr. DONNELL. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 196) for the relief of James G. Smyth was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 612) to provide for the payment of a sum not to exceed \$10,-607,000 to the Swiss Government as partial compensation for damage inflicted on Swiss territory during World War II by United States armed forces in violation of neutral rights, and authorizing appropriations therefor was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LANGER. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 45) for the relief of the owners and operators of certain gold mines which were closed or the operations of which were curtailed by War Production Board Limitation Order L-208 was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

LIMITATIONS OF TIME ON ACTIONS FOR RECOVERY BROUGHT AGAINST CERTAIN COMMON CARRIERS

The Senate proceeded to consider the bill (S. 257) to amend the Interstate Commerce Act, as amended, so as to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by water, and freight forwarders, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment in section 5, on page 4, line 25, after "Sec. 5," to strike out "Title" and insert "Part", so as to make the bill read:

Be it enacted etc., That part II of the Interstate Commerce Act, as amended, is amended by inserting after section 204 thereof a new section as follows:

"Sec. 204a. (1) All actions at law by common carriers by motor vehicle subject to this part for the recovery of their charges, or any part thereof, shall be begun within 2 years from the time the cause of action accrues, and not after.

"(2) For recovery of overcharges, action at law shall be begun against common carriers by motor vehicle subject to this part within 2 years from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the carrier within the 2-year period of limitation said period shall be extended to include 6 months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

"(3) If on or before expiration of the 2-year period of limitation in paragraph (2)

a common carrier by motor vehicle subject to this part begins action under paragraph (1) for recovery of charges in respect of the same transportation service, or without beginning action, collects charges in respect of that service, said period of limitation shall be extended to include 90 days from the time such action is begun or such charges are collected by the carrier.

"(4) The cause of action in respect of a shipment of property shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the carrier, and not after.

"(5) The term 'overcharges' as used in this section shall be deemed to mean charges for transportation services in excess of those applicable thereto under the tariffs lawfully on file with the Commission.

"(6) The provisions of this section shall apply only to cases in which the cause of action may accrue after the date of the enactment of this section."

Sec. 2. Subsection (a) of section 308 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(a) For the purposes of this section the term 'carrier' means a common carrier by water."

Sec. 3. (a) Subsection (f) (1) of section 308 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(1) (A) All actions at law by carriers subject to this part for the recovery of their charges, or any part thereof, shall be begun within 2 years from the time the cause of action accrues, and not after.

"(B) All complaints against carriers for the recovery of damages not based on overcharges shall be filed with the Commission within 2 years from the time the cause of action accrues, and not after, subject to subdivision (D).

"(C) For the recovery of overcharges action at law shall be begun or complaint filed with the Commission against carriers subject to this part within 2 years from the time the cause of action accrues, and not after, subject to subdivision (D), except that if claim for the overcharge has been presented in writing to the carrier within the 2-year period of limitation said period shall be extended to include 6 months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

"(D) If on or before expiration of the 2-year period of limitation in subdivision (B) or the 2-year period of limitation in subdivision (C) a carrier subject to this part begins action under subdivision (A) for recovery of charges in respect of the same transportation service, or, without beginning action, collects charges in respect of that service, said period of limitation shall be extended to include 90 days from the time such action is begun or such charges are collected by the carrier."

(b) The amendments made by subsection (a) of this section shall apply only to cases in which the cause of action may accrue after the date of the enactment of this act.

Sec. 4. Paragraph (5) of subsection (f) of section 308 of the Interstate Commerce Act, as amended, is hereby repealed.

Sec. 5. Part IV of the Interstate Commerce Act, as amended, is hereby amended by inserting after section 406 thereof a new section as follows:

"Sec. 406a. (1) All actions at law by freight forwarders subject to this part for the recovery of their charges, or any part thereof, shall be begun within 2 years from the time the cause of action accrues, and not after.

"(2) For recovery of overcharges action at law shall be begun against freight forwarders subject to this part within 2 years

from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the freight forwarder within the 2-year period of limitation said period shall be extended to include 6 months from the time notice in writing is given by the freight forwarder to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

"(3) If on or before expiration of the 2-year period of limitation in paragraph (2) a freight forwarder subject to this part begins action under paragraph (1) for recovery of charges in respect of the same service, or, without beginning action, collects charges in respect of that service, said period of limitation shall be extended to include 90 days from the time such action is begun or such charges are collected by the freight forwarder.

"(4) The cause of action in respect of a shipment of property shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the freight forwarder, and not after.

"(5) The term 'overcharges' as used in this section shall be deemed to mean charges for service in excess of those applicable thereto under the tariffs lawfully on file with the Commission.

"(6) The provisions of this section shall apply only to cases in which the cause of action may accrue after the date of the enactment of this section."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 1070) to establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public-housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WHERRY. Mr. President, by request, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 110) to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. DONNELL. Mr. President, I object.

The VICE PRESIDENT. The bill will be passed over.

BENEFITS FOR CERTAIN MEMBERS OF RESERVE COMPONENTS OF ARMED FORCES

The bill (S. 213) to provide benefits for members of the Reserve components of the armed forces who suffer disability

or death in active-duty training for periods of less than 30 days or while engaged in inactive-duty training was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LODGE. Mr. President, may we have an explanation of the bill?

Mrs. SMITH of Maine. Mr. President, the bill proposes exactly what the title says, to provide benefits for members of the Reserve components of the armed forces who suffer disability or death from injuries incurred while engaged in active-duty training for periods of less than 30 days or while engaged in inactive-duty training. It also includes the National Guard.

The thought behind the bill is that we must build up the Reserve if we ever intend to decrease the expense of our Regular Military Establishment. Up to date the young men who are serving in the Reserve, training for periods of less than 30 days, have not been permitted full coverage for disabilities incurred because of accidents or otherwise. It seems to me that they should be given the same consideration as those who are training for periods longer than 30 days.

In short, the bill proposes to give the same disability coverage to reservists and national guardsmen injured or killed while serving their country in peacetime as the Regulars now enjoy. Under present law they are not accorded the same protection that Regulars receive unless they are on active-duty orders for more than 30 days.

Mr. LODGE. I thank the Senator from Maine.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with amendments, on page 2, line 7, after the word "perform", to insert "active duty for training or"; in line 13, after the word "compensation", to insert "death gratuity"; and after the word "pay", to strike out "and"; in line 14, after the word "benefits", to insert "and pay and allowances"; and in line 21, to strike out "United States Employees' Compensation Commission", and insert "Bureau of Employees' Compensation, Federal Security Agency"; on page 3, in line 2, after the word "receive", to strike out the colon and the words "Provided further, That this section shall be effective from September 8, 1939"; in line 10, after "United States", to insert "or the Air Force of the United States"; in line 12, after "Army", to insert "or the Regular Air Force"; in line 16, after "days", to strike out "(other than for service with the Civilian Conservation Corps)"; and in line 21, after the word "perform", to insert "active duty for training or"; on page 4, in line 2, after the word "compensation", to insert "death gratuity"; in line 3, after the word "pay", to strike out "and"; and after the word "benefits", to insert "and pay and allowances"; in line 4, after the word "law", to insert "or regulation"; in line 6, after the word "Army", to insert

"or the Regular Air Force"; beginning in line 8, to strike out:

SEC. 3. The amendments made by the preceding sections of this act shall take effect as of August 14, 1945. No back pay, pension, compensation, or retirement pay shall be held to have accrued as a result of the enactment of this act prior to the date on which it is enacted.

And insert:

SEC. 3. All officers, warrant officers, and enlisted men of the National Guard of the United States, both ground and air, the federally recognized National Guard of the several States, Territories, and the District of Columbia—

(1) if engaged for periods in excess of 30 days in any type of training or active duty under section 5, 81, 92, 94, 97, or 99 of the National Defense Act, as amended, suffer disability or death in line of duty from disease while so engaged; or

(2) if engaged for any period of time in any type of training or active duty under such sections of the National Defense Act, as amended, suffer disability or death in line of duty from injury while so employed, shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted men of corresponding grades and length of service of the Regular Army.

SEC. 4. The provisions of this act shall be effective from August 14, 1945, but no back pay, pension, compensation, death gratuity, or retirement pay shall be held to have accrued as the result of the enactment of this act for any period prior to such date: *Provided*, That in the case of persons electing to receive the benefits of this act, the amount of any monetary benefits received for any period subsequent to August 14, 1945, under any provisions of law providing benefits for disability or death incident to the service described in sections 1, 2, and 3 of this act, shall be deducted from the monetary benefits provided for herein.

SEC. 5. Nothing contained in this act shall be construed to deprive any person of any benefits to which he was entitled prior to its enactment.

SEC. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

So as to make the bill read:

Be it enacted, etc., That section 4 of the Naval Aviation Personnel Act of 1940, as amended (U. S. C., title 34, sec. 855c-1), is amended to read as follows:

"SEC. 4. All officers, nurses, warrant officers, and enlisted men of the United States Naval Reserve or United States Marine Corps Reserve, who—

"(1) if called or ordered into active naval or military service by the Federal Government for extended naval or military service in excess of 30 days, suffer disability or death in line of duty from disease while so employed; or

"(2) if called or ordered by the Federal Government to active naval or military service or to perform active duty for training or inactive-duty training for any period of time, suffer disability or death in line of duty from injury while so employed;

shall be deemed to have been in the active naval service during such period, and they or their beneficiaries shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers, warrant officers, nurses, and enlisted men of corresponding grades and length of service of the Regular Navy or Marine Corps: *Provided*, That if a person who is eligible for

the benefits prescribed by this act be also eligible for pension under the provisions of the act of June 23, 1937 (50 Stat. 305); compensation from the Bureau of Employees' Compensation, Federal Security Agency, under the provisions of section 304 of the Naval Reserve Act of 1938 (52 Stat. 1181) or retired pay under the provision of section 310 of the Naval Reserve Act of 1938 (52 Stat. 1183), he shall elect which benefit he shall receive."

SEC. 2. The last proviso to section 5 of the act entitled "An act to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress," approved April 3, 1939, as amended, is amended to read as follows: "*Provided further*, That all officers, warrant officers, and enlisted men of the Army of the United States, or the Air Force of the United States, other than the officers and enlisted men of the Regular Army, or the Regular Air Force who—

"(1) if called or ordered into the active military service by the Federal Government for extended military service in excess of 30 days suffer disability or death in line of duty from disease while so employed; or

"(2) if called or ordered by the Federal Government to active military service or to perform active duty for training or inactive-duty training for any period of time, suffer disability or death in line of duty from injury while so employed,

shall be deemed to have been in the active military service during such period and shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted men of corresponding grades and length of service of the Regular Army or the Regular Air Force."

SEC. 3. All officers, warrant officers, and enlisted men of the National Guard of the United States, both ground and air, the federally recognized National Guard of the several States, Territories, and the District of Columbia—

(1) if engaged for periods in excess of 30 days in any type of training or active duty under section 5, 81, 92, 94, 97, or 99 of the National Defense Act, as amended, suffer disability or death in line of duty from disease while so engaged; or

(2) if engaged for any period of time in any type of training or active duty under such sections of the National Defense Act, as amended, suffer disability or death in line of duty from injury while so employed, shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted men of corresponding grades and length of service of the Regular Army.

SEC. 4. The provisions of this act shall be effective from August 14, 1945, but no back pay, pension, compensation, death gratuity, or retirement pay shall be held to have accrued as the result of the enactment of this act for any period prior to such date: *Provided*, That in the case of persons electing to receive the benefits of this act, the amount of any monetary benefits received for any period subsequent to August 14, 1945, under any provisions of law providing benefits for disability or death incident to the service described in sections 1, 2, and 3 of this act, shall be deducted from the monetary benefits provided for herein.

SEC. 5. Nothing contained in this act shall be construed to deprive any person of any benefits to which he was entitled prior to its enactment.

SEC. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REFORESTATION AND REVEGETATION OF CERTAIN LANDS IN NATIONAL FORESTS

The joint resolution (S. J. Res. 53) to provide for the reforestation and revegetation of the forest and range lands of the national forests, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. RUSSELL. Mr. President, may we have an explanation of the joint resolution?

Mr. ANDERSON. Mr. President, this joint resolution follows a series of recommendations by congressional committees and by others in regard to reforestation and replanting of sections of the public range.

Two years ago an investigation was conducted by the Barrett committee of the House of Representatives. It visited a number of the western areas that complained that the stockmen were having their grazing areas reduced, and suggested that that would not be necessary if the Department of Agriculture would undertake a replanting program.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point two tables, one showing the acreage of planting in each State, and the other showing the amount of revegetation which is proposed.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Initial planting program¹ on national-forest lands by States (as of March 1949)

State	Non-stocked land	Under-stocked land	Total
	<i>Acres</i>	<i>Acres</i>	<i>Acres</i>
Alabama.....	60,000	10,000	70,000
Arizona.....	13,000	—	13,000
Arkansas.....	35,000	5,000	40,000
California.....	314,000	271,000	585,000
Colorado.....	70,000	8,000	78,000
Florida.....	80,000	6,000	86,000
Georgia.....	1,500	—	1,500
Idaho.....	456,000	20,000	476,000
Illinois.....	12,000	2,000	14,000
Indiana.....	10,000	—	10,000
Kentucky.....	10,000	—	10,000
Louisiana.....	10,000	6,000	16,000
Michigan.....	510,000	180,000	690,000
Minnesota.....	175,000	190,000	365,000
Mississippi.....	155,000	17,000	172,000
Missouri.....	25,000	17,000	42,000
Montana.....	90,000	5,000	95,000
Nebraska.....	9,000	—	9,000
Nevada.....	15,000	—	15,000
New Hampshire.....	2,000	—	2,000
New Mexico.....	115,000	5,000	120,000
North Carolina.....	10,000	—	10,000
Ohio.....	10,000	1,000	11,000
Oregon.....	310,000	220,000	530,000
Pennsylvania.....	45,000	6,000	51,000
South Carolina.....	15,000	6,000	21,000
South Dakota.....	30,000	3,000	33,000
Tennessee.....	5,000	—	5,000
Texas.....	10,000	17,000	27,000
Utah.....	10,000	—	10,000
Vermont.....	1,000	1,000	2,000
Washington.....	135,000	70,000	205,000
West Virginia.....	12,000	1,000	13,000
Wisconsin.....	165,000	95,000	260,000
Wyoming.....	1,500	—	1,500
Virginia.....	1,000	6,000	7,000
Total.....	2,938,000	1,173,000	4,111,000

¹ Includes both areas to be planted and areas to be seeded to tree species.

State:	Acres
Arizona-----	100,000
California-----	250,000
Colorado-----	450,000
Idaho-----	526,000
Montana-----	100,000
Nevada-----	600,000
New Mexico-----	250,000
Oregon-----	280,000
South Dakota-----	10,000
Utah-----	1,169,000
Washington-----	65,000
Wyoming-----	200,000
Total-----	4,000,000

Mr. ANDERSON. Mr. President, my hope is that this authority may be granted, and then the whole matter may be considered by the Appropriations Committee, and funds may then be made available in such amounts as the Congress may determine.

But I believe it is important to start now in the replanting of our forests. During the wartime period we harvested timber 50 percent faster than it was grown; and if that process is not reversed, we shall soon have exhausted our supply of timber.

Mr. RUSSELL. Mr. President, I am heartily in favor of the purpose, but I am interested to know the amount of the authorization proposed.

Mr. ANDERSON. Three million dollars is proposed for the first year, and then there would be gradually increasing amounts, until finally a rather substantial sum would be reached. It would be \$5,000,000 in the second year, \$7,000,000 in the third year, \$8,000,000 in the fourth year, and thereafter \$10,000,000 a year for a long period; but all those are thus far merely proposed authorizations; and appropriations would be required, of course.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. TYDINGS. How many trees does the Senator anticipate will be planted during the first year for which the \$3,000,000 expenditure will be made, if such appropriation is actually made?

Mr. ANDERSON. I cannot answer the question, because the difference in costs of plantation as between various areas is substantial. But I have already had inserted in the RECORD a list of the various States and the amount of acreage in each State. The total is somewhat in excess of 4,000,000 acres, and nearly every State in the Union is affected.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 53) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That it is the declared policy of the Congress to accelerate and provide a continuing basis for the needed reforestation and revegetation of national-forest lands and other lands under administration or control of the Forest Service of the Department of Agriculture in order to obtain the benefits hereinbefore enumerated.

Sec. 2. For the purpose of carrying out the provisions of this joint resolution on national-forest lands and other lands under the administration or control of the Forest Service of the Department of Agriculture, in-

cluding the acquisition of land or interests therein for nurseries, there is hereby authorized to be appropriated to remain available until December 31 of the ensuing fiscal year, \$3,000,000 for the fiscal year ending June 30, 1951; \$5,000,000 for the fiscal year ending June 30, 1952; \$7,000,000 for the fiscal year ending June 30, 1953; \$8,000,000 for the fiscal year ending June 30, 1954; \$10,000,000 for the fiscal year ending June 30, 1955; a like amount for each subsequent year through the fiscal year ending June 30, 1965, and thereafter such amounts as may be needed for reforestation; and \$1,500,000 for the fiscal year ending June 30, 1951; \$1,750,000 for the fiscal year ending June 30, 1952; \$2,000,000 for the fiscal year ending June 30, 1953; \$2,500,000 for the fiscal year ending June 30, 1954; \$3,000,000 for the fiscal year ending June 30, 1955; a like amount for each subsequent year through the fiscal year ending June 30, 1965, and thereafter such amounts as may be needed for range revegetation.

The preamble was agreed to.

TRANSFER OF LAND IN ROBINSON REMOUNT STATION, NEBR.—BILL PASSED OVER

The bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wish to make a brief comment on the bill, which I hope will be discussed by the senior Senator from Nebraska [Mr. BUTLER].

This bill presents a difficulty in respect to an important matter of policy which I think should be considered by the Senate in connection with the question of disposing of property belonging to all the people of the United States for the benefit of a group in a particular locality.

As I read the report on the bill, what it amounts to, when we get down to its very essence, is that it is proposed that approximately 43 acres of land be given to the citizens of Crawford, Nebr., for public park purposes. I am at a loss to understand why all the people of the United States should donate a park to Crawford, Nebr. The record in this case shows that there is involved the question of an easement for a water main; and I certainly think the people of Crawford, Nebr., should have that easement. I think the record also shows that certain park improvements have been made by the people of Crawford, Nebr., because over the years they have been making use of these 43 acres for park purposes.

I should like to accommodate the Senators from Nebraska; but, so far as I am concerned, as in the last session of Congress, I think we must call a halt to giving away Federal property for the benefit of people in local communities, without their paying a reasonable or fair price for the benefit received.

I would much prefer this bill if it provided that the people of Crawford, Nebr., should pay 50 percent of the appraised value of the 43 acres of land.

Of course this bill involves a rather small item; but some time ago the Senators from Michigan encountered the same difficulty with respect to Fort Wayne; the Senators from Massachu-

setts ran into a similar difficulty in respect to a park in Massachusetts, and the Senators from Minnesota ran into the same difficulty in respect to certain property wanted by the University of Minnesota Medical School. Certainly we should follow a consistent principle in regard to all these matters; and I have not been shown to date that in such proposals as these an equitable solution would not be to have the citizens involved pay 50 percent of the appraised value of the property.

So, Mr. President, subject to the right of the Senator from Nebraska to reply to this point, I wish to object.

Mr. BUTLER. Mr. President, I wish to say that I appreciate very much the remarks of the Senator from Oregon, and I further wish to say that I am very sympathetic with him in regard to a general proviso that towns or municipalities or other groups which receive Federal property should pay something for it.

In this case, this particular piece of land was put under a revocable lease some 23 or 25 years ago. I suppose the land was then worth not more than \$5 an acre. Since then it has been improved by the people of the city of Crawford, so that it has provided public park services, not only to the people of Crawford and their community, but also to the persons living in the remount station grounds. At times hundreds of such persons enjoyed the benefits.

The land was made into a park. It is not a residential part of the city at all; it is a playground or recreation area. At the present time there is a concrete stadium there, for which the people of Crawford have paid.

In view of the free services on the part of the people of Crawford to the people attached to the remount station, who are our servants, I think the people of Crawford have paid a considerable amount for this small tract of 43 acres, which is a part of some 15,000 or 20,000 acres of the remount station.

I have given the distinguished Senator from Oregon the other facts pertaining to the matter. The bill was passed in the Eightieth Congress, but it reached the House of Representatives too late for action there before the end of the session. That is why the bill has not been enacted before now.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I think the bill is in need of amendment; therefore I object at this time.

The VICE PRESIDENT. Objection being heard, the bill is passed over.

Mr. BUTLER. Mr. President, may I have the understanding that we will try to bring up the bill at the close of the calendar call?

The VICE PRESIDENT. The Chair cannot have any understanding about it.

Mr. BUTLER. I make a motion to that effect.

The VICE PRESIDENT. The clerk will call the next bill.

BILL PASSED OVER

The bill (S. 249) to diminish the causes of labor disputes burdening or

obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. TAFT. Mr. President, I object.

The VICE PRESIDENT. On objection, the bill will be passed over.

TRANSFER OF POMONA STATION OF AGRICULTURE REMOUNT SERVICE

The bill (S. 969) to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif., was announced as next in order.

The VICE PRESIDENT. Is their objection?

Mr. WHERRY. Mr. President, reserving the right to object, am I correct in my understanding that we are now on Calendar 84, Senate bill 969?

The VICE PRESIDENT. That is correct.

Mr. WHERRY. If I may inquire, can the Senator from Oregon tell us whether consideration of this bill also is objected to on the same basis as the objection to the bill relative to Crawford, Nebr.?

Mr. MORSE. No. Mr. President, I have gone into this bill, and it is a good example of the distinction in principle to which I have heretofore alluded. In this case all the bill proposes to do is to return to the Kellogg Foundation the property which they sought to turn over and did turn over to the Federal Government for a particular use. The Federal Government no longer desiring the property for that purpose, I think it is perfectly proper to return the property to the Kellogg Foundation. It is not a case of giving away property that belongs to all the people of the United States, but rather returning property turned over to the Government for a particular use which the Government no longer wants to make use of. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 7, after the word "California", to strike out ", which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg", and insert "which tract, originally in the ownership of W. K. Kellogg, was conveyed to the United States acting through the War Department (now Department of the Army)", so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to transfer and convey to the W. K. Kellogg Foundation, Inc., without cost, the real property, comprising 812 acres, more or less, of the Agriculture Remount Station at Pomona, Calif., which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg and subsequently transferred to the Department of Agriculture pursuant to the act of April 21, 1948 (62 Stat. 197), and such of the personal property of this station as may be agreed upon, in writing, by the Secretary of Agriculture and the W. K. Kellogg Foundation, Inc.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY—BILL PASSED OVER

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the bill. This is a very important bill to those who are identified with the Central Intelligence Agency. In modern times it is necessary to assemble all the information that can be obtained concerning our own national security and its relationship to the national security of other countries. All governments—we might as well be frank about it—utilize every reasonable agency they can to assemble desirable information concerning the activities of other governments. Sometimes in some countries men who are engaged in trying to find out what is going on lose their lives. They are caught, held as spies, and liquidated. They are never heard of again. The bill does not provide for any new activity. What it does particularly is to seek to safeguard information procured by agents of the Government so that it will not fall into the hands of enemy countries or potential enemy countries who would use the information to discover who the agents were, and kill them.

To my certain knowledge, in a certain area, not many years ago three good Americans who were trying to serve their Government by finding out whether the intentions of another government were strictly honorable were liquidated. The men were detected and killed. What the bill does is to seek to keep their names and identities out of the normal accounting channels, so that they cannot be picked up through the promiscuous dissemination of information. That is the principal point in the bill.

I shall not ask for its immediate consideration. I know there are some Senators, one of whom is my good friend and colleague, the Senator from North Dakota, who wants more time to look into it. But I wanted to make this brief explanation, so that Senators would have in mind what is in the bill as they consider it and read it in the future. I shall be very glad to yield, within the time limit that is left to me, to answer, if I can, any question any Senator may desire to raise.

The VICE PRESIDENT. The bill will be passed over, then.

DISCLOSURES RELATING TO UNITED STATES CODES, ETC.—BILL PASSED OVER

The bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communications intelligence activities of the United States was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. FERGUSON. Mr. President, reserving the right to object, in order to get an answer on the record, I may say that the Senator from Texas [Mr. JOHNSON] explained to the Senator from

Michigan that the words "lawful demands," do not mean that a subpoena by Congress will be necessary in order to obtain information for congressional committees, either of the Senate or House, or joint committees. Will the Senator from Texas make a statement to that effect for the record?

Mr. JOHNSON of Texas. The Senator from Michigan has correctly stated the meaning.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Colorado. I ask that the bill go over.

The VICE PRESIDENT. Does the Senator object?

Mr. JOHNSON of Colorado. I object.

The VICE PRESIDENT. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 1211) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

Mr. WHERRY. Mr. President, by request, I ask that the bill go over. I should also like to have the same statement made following the objection raised by me to Calendar 71, Senate bill 1070.

The VICE PRESIDENT. On objection, the bill will be passed over.

BILL PASSED OVER

The bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. By request, I object.

Mr. THOMAS of Oklahoma. Mr. President, I should like to inquire whether the Senator from Massachusetts will withhold the objection for a moment?

Mr. LODGE. I may say to the Senator from Oklahoma I am making objection at the request of a colleague who cannot be present today. I, myself, have no interest in the matter.

Mr. THOMAS of Oklahoma. Mr. President, essentially the bill contains but two provisions. One is a reference to the board personnel. The second is a reference to broadening the powers of the Commodity Credit Corporation. I understand there are objections to the personnel of the board as proposed in the bill. It is not necessary, in my opinion, to consider the second objective, which is to give the Commodity Credit Corporation power to acquire property by gift, lease, or otherwise for the construction of storage facilities. In order to secure action on the bill if the objection runs to the first feature, the personnel of the board, I should be willing, as author of the bill in part, to waive that feature in order to have the second part enacted into law.

Mr. LODGE. I may say to the Senator I, myself, have no knowledge of the bill. My colleague is necessarily absent today, and I suggest that it go over until his return, which will be very soon.

The VICE PRESIDENT. On objection the bill will be passed over.

FEDERAL HOUSING IN ALASKA

The bill (S. 851) to promote the settlement and development of the public domain in the Territory of Alaska by facilitating the construction of necessary housing therein and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. MAGNUSON. Mr. President, I do not know which Senator raised objection, but I hope he will reserve the right to object, in order that I may offer an explanation.

The VICE PRESIDENT. The Chair has not heard any Senator object. The Chair recognized the Senator from Washington. But if a Senator wishes to be recognized in order to object, the Chair will recognize him.

Mr. WATKINS. Mr. President, reserving the right to object, I should like to ask for information about the bill. I wanted to have an explanation.

Mr. MAGNUSON. I may say to the Senator from Utah that my colleague and myself are quite anxious that the bill be not passed over, for the reason that there is an explanation for it, and a further more compelling reason, that the season in Alaska for housing construction is very short, and unless the bill can be passed, the whole season will be lost, particularly in the northern area of Alaska.

Mr. WATKINS. What does the bill seek to do?

Mr. MAGNUSON. The bill proposes a certain housing code applicable to Alaskan construction, which is of a peculiar character. It creates a different set of rules and regulations, whereby the Federal Housing Authority may operate in Alaska. I am sure my colleague could furnish the Senator from Utah the details. I hope there will be no objection, because it is important that the bill be considered promptly, by reason of the shortness of the season in Alaska.

Mr. WATKINS. There may be no objection, when we know what it is all about.

Mr. CAIN. Mr. President, I should like to say, very briefly, to my friend the Senator from Utah and all other Senators, that the bill which is before us presumes to accomplish four objectives. First, the Federal Housing Authority may increase by one-third the dollar amount limitation for insuring mortgages in Alaska.

Second, the powers of Federal National Mortgage Association are broadened and liberalized in two ways:

A. Direct loans can be made if such loans are insured by FHA.

B. Loans may be purchased in excess of the statutory \$10,000 ceiling, and more than 50 percent of the mortgages held by any mortgagee can be purchased.

Third, the Alaskan Housing Authority, with the consent of the Alaska Legislature, is permitted to make loans for either sale or rental housing. It is also permitted to make small or character loans.

Fourth, the FNMA would have the power to purchase from the Alaska Housing Authority, notes up to \$15,000,000. These notes are interest-bearing and would have a 40-year maturity.

The reason the bill was favorably considered by the Senate Committee on Banking and Currency is that circumstances and conditions pertaining to Alaska will not be found anywhere else under the American flag.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. WATKINS. Was the report of the committee unanimous?

Mr. CAIN. I think the report of the committee was unanimous. The Senator from Alabama [Mr. SPARKMAN], a member of the committee, can speak with better authority than can I.

Mr. SPARKMAN. If the Senator will yield, I will say that the report of the Banking and Currency Committee was unanimous. I may add that the House Committee on Banking and Currency has likewise reported a similar bill, and I believe it is scheduled on the calendar today.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. MAGNUSON. That report was also unanimous.

This bill involves a problem of health in Alaska. The Eskimos are being rapidly wiped out because of tuberculosis. The disease was introduced by the white man, and research has developed the fact the disease is increasing because of the camp and igloo conditions, and their summer housing. The bill would allow the Alaskan Housing Authority to make small character loans to the extent of from \$100 to \$200 to the Eskimos, who fish in the summer and have money at that time, so that they may build floors in their camps and tents. It is thought that in that way we can stop the spread of tuberculosis among the Eskimos and the Aleutian Indians, who are rapidly disappearing. The housing situation in Alaska is very acute, and we hope to get started this year. I hope the Senate will pass the bill. As has been pointed out, it has the unanimous approval of the House Committee on Banking and Currency and of the Senate Committee on Banking and Currency.

Mr. HENDRICKSON. Mr. President, reserving the right to object, may I ask whether the bill has the personal approval of the junior Senator from Washington.

Mr. CAIN. In response to the proper and direct question from my colleague the junior Senator from New Jersey, "Does the junior Senator from Washington personally endorse this bill?" My answer is a most positive "Yes."

This bill, S. 851, permits of mortgage-lending procedures by both the Federal Housing Authority and the Federal National Mortgage Association with which I thoroughly disapprove. Those procedures are excessive loan limitations and direct equity loans. I retreat from these objectionable practices only for the compelling reason that this legislation pertains to Alaska, not the continental United States.

Needs for housing, both for sale and rental are desperately needed there. Lending agencies up there are few. Private builders are unable to finance houses they desire to create. Building loans are

unattractive to lenders, who can readily make other types of loans at interest rates up to 8 percent. Building costs are from 35 to 100 percent higher than in the Pacific Northwest. The building season is short. Transportation of needed materials from the States is and has been subjected to disastrous maritime interruptions which add to the costs. It is for these inescapable factors that I, in this legislation, approve those lending procedures that I shall sturdily oppose within continental United States.

Mr. HENDRICKSON. Mr. President, in view of the explanation, I withdraw my objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill? The Chair hears none.

There being no objection, the Senate proceeded to consider the bill (S. 851) to promote the settlement and development of the public domain in the Territory of Alaska by facilitating the construction of necessary housing therein, and for other purposes, which had been reported from the Committee on Banking and Currency, with amendments, on page 1, line 3, to strike out "That (a) title II of the National Housing Act, as amended," and to insert "That this act may be cited as the 'Alaska Housing Act'"; on page 1, line 5, to insert "Sec. 2. (a) Title II of the National Housing Act, as amended"; on page 2, lines 3 and 4, to strike out "title II and title VI of"; in line 7, to strike out "said titles" and insert "this"; in line 12, to strike out "(b) Notwithstanding any of the provisions of the National Housing Act, as amended, or any other law, the Alaska", and to insert:

No mortgage with respect to a project or property in Alaska shall be accepted for insurance under this act unless the Commissioner finds that the project or property is an acceptable risk, giving consideration to the acute housing shortage in Alaska: *Provided*, That any such mortgage may be insured or accepted for insurance without regard to any requirement in any other section of this act that the Commissioner find the project or property to be economically sound or an acceptable risk. Notwithstanding any of the provisions of this act or any other law, the Alaska.

On page 2, line 25, and on page 3, beginning with line 1, to strike out "mortgage insurance under the provisions of titles II and VI of said act; and paragraph (A) of the proviso of section 301 (a) (1) of the National Housing Act, as amended, shall not apply to any mortgage offered, for purchase, to the Federal National Mortgage Association by, or if it covers property held by, the Alaska Housing Authority or any Federal, Territorial, or municipal instrumentality in Alaska," and insert "mortgage insurance under the provisions of this act. Upon application by the mortgagee, where the Alaska Housing Authority is the mortgagor or mortgagee, for the insurance of a mortgage under any provisions of this act, the Commissioner is authorized to insure the mortgage (including advances thereon where otherwise authorized), and to make commitments for the insuring of any such mortgages prior to the date of their execution or disbursement thereon, under

such provisions (and this section) without regard to any requirement that the mortgagor shall be the owner and occupant of the property or shall have paid a prescribed amount on account of such property."

On page 3, line 20, to strike out "(c)" and insert "(b)"; on page 4, line 2, to strike out "title III of"; beginning in line 4, to strike out "unless enacted expressly in limitation hereof, the Federal National Mortgage Association shall be authorized to make real-estate loans, including advances thereon during construction, secured by property located in Alaska if such loans or advances are insured under any of the provisions of title II or title VI of the National Housing Act, as amended" and insert "unless enacted expressly in limitation hereof, any mortgage loans, or partial interests therein, may be offered to the Federal National Mortgage Association for purchase, and the association shall be authorized to make real-estate loans, including advances thereon during construction, if such loans or advances are secured by property located in Alaska and insured under any of the provisions of the National Housing Act, as amended."

On the same page, line 18, to strike out "2" and insert "3"; at the beginning of line 24, to insert "other", and in line 25, after the word "for", to strike out "other"; on page 5, beginning in line 8, after the word "investment", to insert: "and the legislature of that Territory may authorize said authority to make character loans to individuals or cooperatives for the improvement, conversion, or construction of dwellings in remote areas to be occupied by such individuals or members of such cooperatives where the loan does not exceed \$500 per dwelling."

Mr. WHERRY. Mr. President, will the Senator from Washington yield?

Mr. CAIN. I yield.

Mr. WHERRY. Is this public housing?

Mr. CAIN. The bill, in itself, has nothing whatsoever to do with the question of subsidized low-rent housing.

The PRESIDING OFFICER (Mr. KERR in the chair). The clerk will state the next committee amendment.

The next amendment was, on page 6, line 4, after the word "interest", to insert:

And provided further, That such Authority shall exercise its powers under this section to encourage and assist the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life, and the development of well planned residential neighborhoods. Any law enacted by the Legislature of the Territory of Alaska which, except for its enactment prior to the enactment of this act, would be authorized under this section, is hereby authorized, approved, and validated.

In lines 15 and 16, to strike out "projects for the construction and sale or rental of dwelling accommodations, or of making loans for such projects, the", and insert "and administering projects or of making loans pursuant to any authority conferred by the Legislature of the Territory of Alaska under subsection (a) of this section, the."

On page 7, beginning in line 2, to insert:

Provided, That such notes and other obligations issued and outstanding for the purpose of making character loans to individuals or cooperatives shall not exceed \$1,000,000.

Beginning in line 16, to strike out:

(c) The Governor of Alaska shall make an annual report to the Housing and Home Finance Administrator, for transmission to the Congress, for each fiscal year, ending on June 30, with respect to activities pursuant to the authorization provided in this section.

And insert:

(c) The Alaska Housing Authority shall make an annual report to the Governor of Alaska on all of the activities of the Authority, for each fiscal year ending June 30, for transmission with his comments and recommendations to the Housing and Home Finance Administrator.

On page 8, beginning in line 11, to strike out "section, and all funds available for carrying out the functions of the Administrator and the Alaska Housing Authority under this section (including appropriations therefor, which are hereby authorized) shall be available in such amounts as may from year to year be authorized by the Congress for the administrative expenses of the Administrator and the Alaska Housing Authority in connection with the performance of such functions" and insert: "section. In the performance of, and with respect to, the functions, powers, and duties vested in him by this section, the Administrator, notwithstanding the provisions of any other law, shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That such financial transactions of the Administrator as the making of loans or advances of funds and vouchers approved by the Administrator in connection with such financial transactions shall be final and conclusive upon all officers of the Government."

On pages 9 and 10, to strike out section 3 as follows:

SEC. 3. Notwithstanding any of the provisions of the National Housing Act, as amended, the Federal Housing Commissioner is authorized, upon application by the mortgagee, to insure or to make commitments to insure under section 207 of title II, or section 603 or section 608 of title VI, of said act, as amended, any mortgage executed in connection with the sale by the Alaska Housing Authority of any housing constructed or acquired by it under the authorization provided in this act (including any property acquired, held, or constructed in connection with such housing or to serve the inhabitants thereof, without regard to—

(1) any limit as to the time when any mortgage may be insured under said title VI;

(2) any limit as to the aggregate amount of principal obligations of all mortgages insured under said title VI, but the aggregate amount of principal obligations of all mortgages insured under title VI pursuant to this section 3 shall not exceed \$30,000,000;

(3) any requirement that the obligation be approved for mortgage insurance prior to the

beginning of construction or that the construction be new construction;

(4) any of the provisions of the first sentence of section 207 (c) or section 603 (b) (2) or section 603 (b) (5) or paragraphs (B) and (C) of the first sentence of section 608 (b) (3):

Provided, That such mortgage shall otherwise be eligible for insurance under section 207 or section 603 or section 608, as the case may be, and involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not exceeding 90 percent of the appraised value of the mortgage property as determined by the Commissioner: *And provided further*, That any such mortgage insured under section 603 shall bear interest (exclusive of premium charges) at not to exceed 5 percent per annum on the amount of the principal obligation outstanding at any time.

On page 11, line 5, after the word "reserved", to insert "(in whole or in part)".

On the same page, after line 10, to insert new section 6, as follows:

SEC. 6. Any executive department or agency of the Federal Government is hereby authorized to sell, transfer, and convey to the Alaska Housing Authority at fair value (as determined by such department or agency), for use under this act, all or any right, title, and interest in any real or personal property under the jurisdiction of such department or agency which it determines to be in excess of its own requirements, notwithstanding any limitations or requirements of law with respect to the use or disposition of such property: *Provided*, That the authority conferred by this section shall be in addition to and not in derogation of any other powers and authorities of such department or agency.

Mr. WHERRY. Mr. President, I should like to address a question to the Senator from Washington. After all the striking out and the insertion of other language, do we now have a bill which helps public housing, and does it differ generally from what is being done in continental United States?

Mr. CAIN. The bill, as amended, has nothing whatsoever to do with the question of public housing. The bill, in its amended form, has to do with the liberalizing of procedures which are presently followed by "Fanny May" and the FHA, within the continental United States; it gives to the Alaska Housing Authority the right to extend loans for rental and sale housing construction, which right the Authority does not now have; and it permits the HHFA to purchase up to \$15,000,000 of the notes of the Authority which are interest-bearing and repayable in 40 years. The amended bill does these things.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted, etc., That this act may be cited as the "Alaska Housing Act".

SEC. 2. (a) Title II of the National Housing Act, as amended, is hereby amended by adding at the end thereof a new section reading as follows:

"SEC. 214. If the Federal Housing Commissioner finds that, because of higher costs prevailing in the Territory of Alaska, it is not

feasible to construct dwellings on property located in Alaska without sacrifice of sound standards of construction, design, or livability, within the limitations as to maximum mortgage amounts provided in this act, the Commissioner may, by regulations or otherwise, prescribe, with respect to dollar amount, a higher maximum for the principal obligation of mortgages insured under this act covering property located in Alaska, in such amounts as he shall find necessary to compensate for such higher costs but not to exceed, in any event, the maximum otherwise applicable by more than one-third thereof."

No mortgage with respect to a project or property in Alaska shall be accepted for insurance under this act unless the Commissioner finds that the project or property is an acceptable risk, giving consideration to the acute housing shortage in Alaska: *Provided*, That any such mortgage may be insured or accepted for insurance without regard to any requirement in any other section of this act that the Commissioner finds the project or property to be economically sound or an acceptable risk. Notwithstanding any of the provisions of this act or any other law, the Alaska Housing Authority shall be eligible as mortgagor or mortgagee, as the case may be, for any of the purposes of mortgage insurance under the provisions of this act. Upon application by the mortgagee, where the Alaska Housing Authority is the mortgagor or mortgagee, for the insurance of a mortgage under any provisions of this act, the Commissioner is authorized to insure the mortgage (including advances thereon where otherwise authorized), and to make commitments for the insuring of any such mortgages prior to the date of their execution or disbursement thereon, under such provisions (and this section) without regard to any requirement that the mortgagor shall be the owner and occupant of the property or shall have paid a prescribed amount on account of such property.

(b) The powers of the Federal National Mortgage Association, and of any other Federal corporation on other Federal agency heretofore or hereafter established, to make real-estate loans, or to purchase, service, or sell any mortgages, or partial interests therein, may be utilized in connection with properties or projects in Alaska designed principally for residential use; and, notwithstanding any of the provisions of section 301 of the National Housing Act, as heretofore or hereafter amended, or of any other law unless enacted expressly in limitation hereof, any mortgage loans, or partial interests therein, may be offered to the Federal National Mortgage Association for purchase, and the Association shall be authorized to make real-estate loans, including advances thereon during construction, if such loans or advances are secured by property located in Alaska and insured under any of the provisions of the National Housing Act, as amended.

SEC. 3. (a) In order to relieve the particularly severe impact of the housing shortage in Alaska, the legislature of that Territory may authorize the Alaska Housing Authority, in addition to the housing projects undertaken pursuant to the provisions of the Act of July 21, 1941 (55 Stat. 601; 48 U. S. C., secs. 481-483), as amended, also to undertake other projects for the construction and sale or rental of dwelling accommodations for inhabitants of the Territory, and to make loans for such projects to public agencies, or private nonprofit or limited dividend corporations, or private corporations which are regulated or restricted by the Authority (until the termination of all loan obligations to it) as to rents or sales, charges, capital structure, rate of return, and methods of operation to such an extent and in such manner as to provide reasonable rentals to tenants and a

reasonable return on the investment, and the legislature of that Territory may authorize said authority to make character loans to individuals or cooperatives for the improvement, conversion or construction of dwellings in remote areas to be occupied by such individuals or members of such cooperatives where the loan does not exceed \$500 per dwelling, and any powers of said Authority, including but not limited to powers of eminent domain and issuance of bonds and obligations, with respect to projects undertaken pursuant to the provisions of said act of July 21, 1941, may be made available with respect to projects undertaken pursuant to the authorization provided in this section: *Provided*, That the authorization provided in this section shall be limited to projects where adequate financing on reasonable terms and conditions, or entrepreneurial sponsorship, or both, as the case may be, is not otherwise available: *And provided further*, That any projects constructed and owned by such Authority pursuant to the authorization provided in this section shall be sold for cash or on reasonable terms and giving consideration to full market value, as promptly as may be advantageous under the circumstances and in the public interest: *And provided further*, That such Authority shall exercise its powers under this section to encourage and assist the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life, and the development of well planned residential neighborhoods. Any law enacted by the legislature of the Territory of Alaska which, except for its enactment prior to the enactment of this act, would be authorized under this section, is hereby authorized, and approved, and validated.

(b) To obtain funds for the purpose of undertaking and administering projects or of making loans pursuant to any authority conferred by the Legislature of the Territory of Alaska under subsection (a) of this section, the Alaska Housing Authority may, on and after the effective date of this act, issue and have outstanding at any one time notes or other obligations for purchase by the Housing and Home Finance Administrator in an amount not to exceed \$15,000,000 and the Housing and Home Finance Administrator is hereby authorized to purchase such notes or other obligations to the extent that funds are available therefor: *Provided*, That such notes and other obligations issued and outstanding for the purpose of making character loans to individuals or cooperatives shall not exceed \$1,000,000. Such notes or other obligations shall be in such forms and denominations, shall have such maturities not exceeding 40 years, and shall be purchased under such general terms and conditions as may be prescribed by the Housing and Home Finance Administrator. Such notes and other obligations shall bear interest at a rate determined by the Housing and Home Finance Administrator, with the approval of the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such notes or other obligations.

(c) The Alaska Housing Authority shall make an annual report to the Governor of Alaska on all of the activities of the Authority, for each fiscal year ending June 30, for transmission with his comments and recommendations to the Housing and Home Finance Administrator.

(d) There is hereby authorized to be appropriated to the Housing and Home Finance Administrator, out of any money in the Treasury not otherwise appropriated, not to exceed \$15,000,000 for the purposes of this section. Funds made available to the Administrator pursuant to the provisions of

this section shall be deposited in a checking account or accounts with the Treasurer of the United States. Receipts and assets obtained or held by the Administrator in connection with the performance of his functions under this section shall be available for any of the purposes of this section. In the performance of, and with respect to, the functions, powers, and duties vested in him by this section, the Administrator, notwithstanding the provisions of any other law, shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That such financial transactions of the Administrator as the making of loans or advances of funds and vouchers approved by the Administrator in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

SEC. 4. The Housing and Home Finance Agency is authorized to provide technical advice and information and otherwise to cooperate to the full extent authorized by law to assist the Alaska Housing Authority in the program to relieve the severe shortage of housing in the Territory.

SEC. 5. Notwithstanding the provisions of sections 4 and 301 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, with respect to the disposition of housing of a permanent character, any such housing in Alaska under the jurisdiction of the Housing and Home Finance Administrator which has been reserved (in whole or in part), prior to the enactment of this act, for employees of an agency of the Federal Government may be retained by him for employees of that agency for such time as he determines such action necessary to provide adequate housing accommodations for them in the area.

SEC. 6. Any executive department or agency of the Federal Government is hereby authorized to sell, transfer, and convey to the Alaska Housing Authority at fair value (as determined by such department or agency), for use under this act, all or any right, title, and interest in any real or personal property under the jurisdiction of such department or agency which it determines to be in excess of its own requirements, notwithstanding any limitations or requirements of law with respect to the use or disposition of such property: *Provided*, That the authority conferred by this section shall be in addition to and not in derogation of any other powers and authorities of such department or agency.

Amend the title so as to read: "A bill to promote the settlement and development of the Territory of Alaska by facilitating the construction of necessary housing therein, and for other purposes."

The title was amended so as to read: "A bill to promote the settlement and development of the Territory of Alaska by facilitating the construction of necessary housing therein, and for other purposes."

BILL PASSED OVER

The bill (S. 498) to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. LANGER. Mr. President, I object.

The PRESIDING OFFICER. The bill will be passed over.

JUDICIAL SALARIES IN HAWAII

The bill (S. 566) to fix the salaries of certain justices and judges of the Territory of Hawaii was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following salaries shall be paid to the several justices and judges hereinafter mentioned, namely:

To the chief justice of the Supreme Court of the Territory of Hawaii, \$15,500 per year, and to each of the associate justices thereof, \$15,000 per year.

To each of the judges of the circuit courts of the Territory of Hawaii, \$12,500.

SEC. 2. All of said salaries shall be paid in equal monthly installments.

SEC. 3. This act shall take effect on the first day of the first month next following its approval.

DESTRUCTION OF LETTER BOXES OR MAIL

The bill (S. 1043) to amend section 1705 of title 18 of the United States Code was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1705 of title 18 of the United States Code is hereby amended to read as follows:

"SEC. 1705. Destruction of letter boxes or mail: Whoever willfully or maliciously injures, tears down, or destroys any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or breaks open the same, or willfully or maliciously injures, defaces, or destroys any mail deposited therein, shall be fined not more than \$1,000 or imprisoned not more than 3 years."

EXTENSION OF TIME FOR FILING CLAIMS

The bill (S. 1030) to amend the Federal Tort Claims Act to increase the time within which claims under such act may be presented to Federal agencies or prosecuted in the United States district courts was announced as next in order.

Mr. McCARRAN. Mr. President, an identical bill, Calendar No. 193, House bill 779, is on the calendar, and I ask unanimous consent that the House bill be substituted for the Senate bill and be now considered.

Mr. GEORGE. Mr. President, may I ask the distinguished chairman of the Committee on the Judiciary if the bills are identical?

Mr. McCARRAN. They are identical, except that the title of the House bill should be amended.

Mr. GEORGE. They are identical in substance?

Mr. McCARRAN. The substance is the same.

Mr. SCHOEPPPEL. Mr. President, may we have a detailed explanation of the bill?

Mr. McCARRAN. Mr. President, the bill increases the time within which claims under the Tort Claims Act may be presented to Federal agencies. That is all the bill provides; it merely extends for 1 year the time for the presentation of claims under the Tort Claims Act.

Mr. WHERRY. Mr. President, I believe the Senate Judiciary Committee reported the bill with an amendment. I notice the House bill does not have an amendment. Does the amendment to the Senate bill run to the title merely?

Mr. McCARRAN. Only to the title. The Senate committee reported the bill

with a change of title. When the Senate takes up the House bill, it is the same as the Senate bill, with the unanimous recommendation of the Committee on the Judiciary of the Senate.

The PRESIDING OFFICER. Is there objection to the consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 779) to amend the Federal Tort Claims Act to increase the time within which claims under such act may be presented to Federal agencies or prosecuted in the United States district courts, which was ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend title 28 of the United States Code to provide additional time for bringing suit against the United States in the case of certain tort claims, and for other purposes."

The PRESIDING OFFICER. Without objection, Senate bill 1030 will be indefinitely postponed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 23) favoring the suspension of deportation of certain aliens, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the concurrent resolution?

Mr. RUSSELL. Mr. President, I should like to have some Senator explain the resolution. I observe that there are some four or five measures on the Calendar postponing the deportation of aliens, ranging from 10 pages of names to 16 pages of names. I should like to have some Senator explain the concurrent resolution.

Mr. MAGNUSON. Mr. President, Congress passed a bill during the Eightieth Congress whereby the Attorney General was permitted to suspend the deportation of certain aliens if their deportation would jeopardize the financial interests of any American corporation or person. We also required in the bill that when he suspended the deportation of any aliens, he must take affirmative action and submit the names to the Congress for their approval.

In the Committee on the Judiciary we receive several names every week, and we report them to the Senate. In other words, we are merely taking action in conformity with the bill we passed and the mandate we gave the Attorney General to submit the names to us.

Mr. McCARRAN. Mr. President, I should like to say, further, by way of explanation to the distinguished Senator from Georgia, that the Department of Justice has always had the right to suspend deportations. We put a limitation on that right of suspension, providing that the suspensions when made by the Department of Justice must be submitted to the Congress. These bills come to the Committee on the Judiciary under the Reorganization Act. The names of the suspended aliens are screened by the staff and by the Committee on the Judiciary, and in many instances we refuse to go along with the Department of Justice. For instance, in the group now

pending before the Senate, I think we eliminated about 34 or 35 names. The others, after a complete investigation, we approved.

Mr. RUSSELL. Mr. President, that answers the principal question I had in mind. I had some little familiarity with the basic legislation involved, but here are several hundred names of those who, under our laws, are subject to deportation, and I wanted to know whether the committee undertook to screen them, and to determine whether there was merit in the cases.

Mr. McCARRAN. We not only undertake to screen them, but we assign staff members to the work of screening, and they go into them in detail.

Mr. RUSSELL. I am delighted to hear that, because my experience in the past indicated that the Department of Justice was not too careful in dealing with these cases. I am glad to hear that the Committee on the Judiciary is screening and investigating the names.

Mr. McCARRAN. Let me say to the Senator and to the Senate that this is one of the trying problems which was given over to the Committee on the Judiciary by the Reorganization Act. It is a perplexing problem, and one to which we give careful study at all times.

The PRESIDING OFFICER. Is there objection to the consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 23) was considered, and agreed to as follows:

Resolved, etc., That the Congress favors the suspension of deportation in the case of each person hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.

- A-9561344, Abrahamsen, Arne.
- A-6233871, Acriche, Leo Abravanel or Leon Acriche.
- A-5984018, Aguillo, Ofelia, or Ofelia Aguayo.
- A-9748978, Ahmed, Mustafa Ali (alias Mustafa Ali Achmed).
- A-5672802, Alter, Mollie (nee Malke Rubinstein).
- A-2457068, Aman, Eugene Vites.
- A-6195641, Amanatides, Erasmia, or Erasmia Sonikides.
- A-6655514, Anderson, Albert Lorenzo.
- A-6536080, Anjewierden, Dirk.
- A-6724309, Aranda, Miguel Angel, or Miguel Aranda or Miguel Aranda-Tarango.
- A-3882033, Arnoso, Louis Varela.
- A-6526204, Asher, Vivian Catherine (nee Jones).
- A-1862941, Atkinson, Stanley Reid.
- A-9559565, Augustinius, Jose Herman.
- A-5919879, Back, Erik Nestor Ernfrid.
- A-4024370, Bain, Zacharias, or Zechariah Bain (alias Zachirihl Bain alias Zacirihl Bain).
- A-2495593, Bank, John.
- A-7592940, Baptiste, Emma Josefina (nee Lujan Molina).
- A-4354716, Baur, Ludwig, or Ludwig Bauer.
- A-4182915, Bechara, Joseph Charles, or Joseph Bechara or Joseph Charles.
- A-2069293, Beckford, Percival.
- A-5342459, Bernier, Ann Claudine (nee De Freitas).
- A-3121501, Betz, Fred August, or Friederich August Betz or Frederick August Betz or Fred Betz.
- A-4826785, Bin, Anita (nee Toppazinni).
- A-9686533, Blom, Jan Leendert.
- A-3081497, Boffa, Luciano.
- A-5309178, Bould, James.
- A-5971012, Bousses, Nicolaos Stamatou.
- A-9769305, Bradley, John Hubert.

- A-5991350, Brandon, Bertha Emily (nee Field).
- A-1278361, Burrows, John James (alias Jack Burrows).
- A-6489021, Campbell, Alexander.
- A-2817248, Candelora, Francesca (nee Zafino).
- A-4743272, Castro, Mercedes, formerly Mercedes Alvarez (nee Mercedes Figueroa).
- A-2022520, Chang, Mo Poon.
- A-7552570, Chang, Teresa Alay.
- A-5141080, Chaves, Faustino, or Faustino Chavis or Faustino Chavez or Faustino Chavis Murillo.
- A-2229390, Chinn, Yue Gim, or Gee Yen Gim or Yem Gim Gee or Yue Gim Gee or Yu Gim Chin.
- A-2592334, Cohen, Moe Martin.
- A-1715256, Cohen, Sarah Iroff (alias Sarah Iroff alias Sally Epstein).
- A-6246598, Coltras, Marica.
- A-6303160, Contreras, Jose, or Jose Almanza Contreras.
- A-5117652, Corrao, Carlo.
- A-6069924, Cox, Silveria Pana.
- A-6663382, Cragg, George Robert.
- A-4377394, Cremades, Miguel (alias Miguel Cremades Villarroja alias Mike Valencia).
- A-4335395, Cucksey, Anna Krebs, or Nita Krebs.
- A-1164881, Daniels, Jean Rene (alias Jean Rene Francois Daniels or Gaston Carle).
- A-5668032, Darkovich, Peter Stoiche.
- A-5971753, Davis, Gladys Ovidia Gladys, or Gladys Ovidia Georges.
- A-3860479, Dedis, Pantelis John.
- A-5740896, De Flores, Reyes Valenzuela, or Reyes Valenzuela or Reyes Valenzuela Flores.
- A-4150561, De Hernandez, Josefa Torres, or Josefa Torres.
- A-2817560, Delgado, Jesus Maria.
- A-4691015, De Llaverias, Maria Catalina (nee Everts).
- A-2767060, De Lucero, Manuela Avina, or Manuela Avina.
- A-6063059, De Luzuriaga, Enrique Ruiz.
- A-6405944, Luzuriaga, Evelyn Patricia.
- A-6405945, Luzuriaga, Eugenio.
- A-1722409, Deneau, Harold Edward.
- A-5863272, De Saine, Adeline (nee Simpson).
- A-3802400, Di Gregorio, Paola or Pauline (nee Onorato).
- A-4840700, Domenighini, Albert, or Aurelio Domenighini.
- A-6261640, Domosiaris, Kalliopi.
- A-6212801, Domosiaris, Konstantinos or Constantinos.
- A-5909782, Dos Santos, Joaquim Antonio.
- A-5982057, Doush, Joseph Harry.
- A-5296040, Doyle, Paulette Marie (nee Briand).
- A-6755401, Dumitrescu, Radu.
- A-5455559, Duncan, Yeta Rosemburz or Jetta Rosemburz De Mojica or Yeta Rosemburz De Mojica or Yeta Rosemburz.
- A-6037097, Duncanson, Wentworth Eustace.
- A-4647266, Erdos, Vincent or Vince.
- A-9651529, Eriksen, Magne, or Magne Taranger or Magne Taranger Eriksen.
- A-5053925, Ertman, Einar Leopold Konstantin.
- A-5053923, Ertman, Ellen Alice (nee Sepanen or Elli Alisa).
- A-3974381, Escudero-Pascual, Nicholas, or Nicholas Escudero.
- A-5209421, Fagervik, Carl Ingvald.
- A-3720405, Fantasia, Salvatore.
- A-2370108, Fantin, Teresa (nee Teresa Pagura).
- A-3329048, Fazio, Pietro (alias Peter Fazio).
- A-3788785, Fein, Anna (nee Anna Fishman).
- A-5678327, Fisch, Meschulim, or Manny Fisher.
- A-5415760, Flores, Angelina Nieto, or Angelina Nieto.
- A-5415761, Flores, Eliseo, or Raphael Trejo.
- A-1473200, Ford, Thomas Francis.
- A-1615234, Fotenos, Stamatios (alias Steve Fotenos).
- A-5180485, Fragakis, Stavros Georgiou.
- A-5541925, Fuentes, Domingo.
- A-6665532, Galindo, Maria Teresa.
- A-5238894, Gansz, Elisabeth Anna Helene or Elisabeth or Elizabeth Gansz (nee Scholz).
- A-1216334, Gargiulo, Philip or Philip.
- A-5220833, Geffke, Fritz Herbert.
- A-9769263, Gialourakos, Nicholas John (alias Nicolaus Yialourakos or Nick Gialourakos).
- A-6211352, Gittins, Alvin Loraine (alias Charles Gittens).
- A-6211350, Gittins, Gwendolen Mary Ellis.
- A-1500640, Gloor, Theresa, or Theresa Koller (nee Schneider).
- A-9544853, Gomes, Raul Fonseca.
- A-3767333, Gonzales, Pedro Arambula (alias Pedro Arambula alias Pedro Gonzales alias Pedro Arambula Gonzalez alias Pedro A. Gonzalez).
- A-6199843, Goodstein, Stella, or Stella Zweig (nee Esther Akselrad).
- A-6757483, Goudsmit, Jeannette, or Jeannette Smith.
- A-3007301, Graeber, Adolf Paul, or Adolf Graeber.
- A-1363182, Grant, Frank.
- A-6458400, Greaves, Gayle Louise, or Gayle Louise Schluter.
- A-4196849, Gripalos, Mabel (nee Birch).
- A-6277086, Hanvey, Evelyn Maria.
- A-2693302, Haroutunian, Constance, or Knarig Garosarian or Knarig Keyalan or Connie Haroutunian.
- A-2464397, Harrigan, Alice Mabel (nee Dickson).
- A-6239763, Hermann, Liba Pourova.
- A-4947943, Hernandez, Mario Perez (alias Mario Hernandez alias John Luis Perez Hernandez).
- A-6267143, Holness, Gloriana.
- A-4887327, Holscher, Anton Karl.
- A-4963344, Hoogestraat, Herman Johann.
- A-2766922, Hopfeld, Heyneman Herman.
- A-2271554, Horn, Elmer Harry, or Elmar A. Horn.
- A-7529293, Hsiang, Tso Ming, or Hisang Tso Ming.
- A-2486359, Hsiang, Lan Ying Hsu (nee Lan Ying or Lan Ying Hsu).
- A-4686786, Huang, I-Chen, or Huang I-Chen or Chen Huang or Huang Chen.
- A-6210416, Iriarte, Blancamadruga.
- A-6042302, Janiszewski, Zofia, or Zofia Mizera.
- A-1636675, Jimenez (de), Esperanza Margarita Moreno, or Esperanza Margarita Jimenez Moreno.
- A-3107724, John, Renee (nee Wan Lai Wong or Lal Wan Wong).
- A-2559002, Johnsen, Arnst Henry, or Arnst Johnsen.
- A-6167344, Jones, Sheldon William.
- A-7674176, Kaniel, Alte Feiga Rivka (nee Kaplan).
- A-1326265, Karaffa, Joseph.
- A-3443887, Karsch, Gustav Adolf.
- A-4602439, Karulis, Constantinos, or Gust A. Karousis or Constantinos Caroussis.
- A-6248971, Katschi, Vasilike (nee Hassope or Hassopis).
- A-7606490, Ke, I-Djen Ho.
- A-7606670, Ke, Ting Su.
- A-6406522, Keating, John Stanley.
- A-6193198, Kelly, Randi Erna Eleanor (nee Nagell).
- A-9573408, Kingshott, John Horace Frederick Walter, or John Kingshott.
- A-5560625, Kiss, Louis.
- A-5686338, Kiss, Mary Josephine (nee Kun).
- A-5952072, Kalmpfer, Alois, or Louis or Alois Ibitz.
- A-6576269, Kornoff, Mary Dobrinin, or Mary Dobrinin.
- A-5969606, Kraij, Gjuro Nikola (alias George Kralj).
- A-3462421, Krivec, Mike or Michael.
- A-4755227, Laakso, Jalmar Kustaa, or Gust or Gus Laakso.
- A-3136596, Leandro, Constantino.
- A-6186635, Lee Ellen Sun (nee Ai-Ling Sun).
- A-4097955, Lehman, Ludwig.
- A-5341744, Lema, Mary Juliana, or Meeri Juliana Lema (nee Lundull).
- A-7634421, Lu, Rosabel (nee Hsu).
- A-3415507, Lynch, James Patrick.
- A-2867817, Manguso, Guido (alias Guido Mancuso).
- A-9540001, Manolakakis, Theodoros Emanuel, or Theodore Emanuel Manolakakis or Theodore Antone Emanuel.
- A-5104652, Mantione, Rosario (alias Loverdi, Antonio, alias Colodio Senna alias Antonio Laverde).
- A-9517528, Marmarinos, Grigorios John, or Grigorios (Gregory) John Marmarinos.
- A-5955493, Marmoratos, Gregorio Domenico, or Gregorio Marmorato.
- A-3100503, Martinez, Ceferino, or Ceferino Martinez Garcia.
- A-3591468, Mayr, Henry, or Ferdinand Mayr.
- A-3589127, Mazelow, Lillian (alias Lily Mazelow, nee Kaplan).
- A-4076891, Mazelow, William.
- A-6405631, McCallum, Elsa.
- A-5882989, Melis, Isidoros (alias Sederis Melis or Mellis).
- A-5990876, Meraz, Jose, or Jose Meraz Andrade or Manuel Garcia or Jose Mirass or Jose Miras.
- A-6365722, Meza, Esiquio (alias Exequiel Meza).
- A-4779627, Mihalka, Artur, or Arthur M. Maroth.
- A-4561348, Milici, Joseph Catanese, or Charles Martin.
- A-5690483, Moeller, Rudolph Christian.
- A-5780774, Friederichs, Agnes, formerly Agnes Friederichs Kniffke.
- A-6098940, Molina, Margarita.
- A-6098941, Molina, Delia.
- A-6098942, Molina, Graciela.
- A-6098943, Molina, Heriberto.
- A-4818636, Moller, Paul Theodor, or Paul Moller or Paul Miller.
- A-5568513, Montion, Juanita (alias Juanita Lozano or Gomez).
- A-4881272, Moore, Mary Margaret (nee Wilton, formerly Stevens).
- A-7724011, Mora (y), Manuel Ramon Garcia.
- A-3554834, Moser, Peter.
- A-3489800, Naftis, Matheos George (alias Mathaios Georgios Naftis).
- A-1686562, Nagel, Erwin.
- A-9769308, Nicola, Primo.
- A-6199844, Nieves, Delia (nee Delia Francisca Gonzalez Trigola or Delia Gonzalez y Puga).
- A-9524302, Nielsen, Svend Aage.
- A-6444886, Niemeyer, Elzo, or Dick Niemeyer or Dick Van Hall.
- A-2824650, Onga, John Rodica, or Severino Rodica.
- A-4656663, Orshingher, Umberto Vittorio (alias Umberto Vittorio Orshingher).
- A-6171441, Pamphilis, Isabella (nee Mouganis).
- A-5414747, Panariello, Pietro.
- A-2036945, Pantring, Otto Wilhelm.
- A-4908373, Pappou, Asthanasios (alias Athas Pappou or Athos Papou).
- A-22330076, Pavlis, Apostolos Paraskevas, or Charles P. Pavlis.
- A-6261580, Paykou, Alexandra nee Galluri; Kallis.
- A-6313070, Perez, Eduardo.
- A-5294203, Petroutsa, Eleftherios Panayiotou, or Edward Panayiotou Petroutsa.
- A-4866498, Philippen, Peter Joseph.
- A-5132908, Pinto, Jacinto, or Jacinto Pinto Riquerre or Victorino or Francisco Pinto.
- A-3584354, Polatos, Vasilios, or William Polatos or Polatos.
- A-6610940, Press, Doris, or Dora nee Herscovitch or Doris or Dora Hearst.
- A-6288530, Quintana-Lopez, Angel, or Antonio Lopez Chintana.
- A-1993852, Rade, John Paul.
- A-6314073, Raptou, Eleftheria Apostolou (nee Economidis).

A-523221, Rasch, Heinz.
 A-9651792, Redo, Wacław.
 A-2933966, Reichelt, Martha Luise.
 A-5182094, Reislwig, Elsie Ruth, or Elsie Ruth Kukert.
 A-3273271, Reiter, John, or Johann Reiter.
 A-6199573, Resch, Walter.
 A-6693292, Reiger, Ingrid.
 A-6041092, Rios-Cardoza, Carmen (alias Carmen Cardoza Rios).
 A-6051086, Rios-Cuellar, Herminio (alias Herminio or Herman Cuellar Rios).
 A-6041091, Rios-Cuellar Juana (alias Juana or Jenny Cuellar Rios).
 A-6075212, Robb, Elvira (nee Camara).
 A-6624990, Rodriguez, Jesus, or Jesus Rodriguez-Hernandez.
 A-5445641, Roeben, Richard Arthur Frederick, or Richard Fred Roeben or Rosen.
 A-3711643, Rolla, Felice Francesco.
 A-4175237, Rollins, John.
 A-1490125, Rotondo, Giovanni or John.
 A-6088182, Rueda, William Henry or Guillermo Enrique Rueda.
 A-6083480, Rueda, Ana Maria.
 A-5399553, Rueger, Oscar, or Oskar Ruger.
 A-6220625, Sacorafas, Athanasia Constantina (nee Kapnia).
 55860/943, Salmivaara, Laina Martha Maria, or Martha Lake.
 A-5991510, Samuels, Armon, or Herman Murdock.
 A-3187740, Schilling, Franz Xaver.
 A-6234223, Schou, Svend Aage.
 A-1768899, Scombulis Panagiotis Georgian, or Peter Scombul or Panagiotis G. Scombulis.
 A-4405150, Seifer, David, or David Seifer or David Seifer Y Kiply or Kipin (alias David Sobol).
 A-6093512, Shaik, Mohammed Ismail, or Batir Uddin (Udding).
 A-4255673, Shannon, William Antonio or Conton.
 A-6436388, Shemroy, Margaret.
 A-7648407, Sjoberg, Arne Leonard Ivar, or Arne Sjoberg or Arne Leonard Sjoberg.
 A-9769913, Small, Richard John.
 A-6078132, Snodgrass, Aurelia (nee Aquino).
 A-5947407, Sodergard, Lars Verner Aaron.
 A-9552911, Sonnevile, Wilhelmus Johannes.
 A-6195011, Sotter, Despina, or Despina Soterliou.
 A-5363250, Stathopoulos, George Constantine (alias George C. Stathis).
 A-4567264, Stamatopoulos, Panagiotis George, or Peter G. Stamos.
 A-6171436, Stefanopoulos, Alexandra (nee Zervos).
 A-9502998, Svenson, Sven Bertil, or Sven Zertil or Bertil Svenson.
 A-4387710, Tachman, Louis, or Louis Leib.
 A-1916810, Tarwater, Ruth Lucille (nee Ruth Lucille Burns).
 A-4814027, Thompson, Jane Kennedy Orr or Jean.
 A-9656937, Tonseth, Einar Gerhard.
 A-3465184, Traikoff, George Atanas, or George A. Traikoff.
 A-5997606, Tromblay, Brigida Colango.
 A-1020274, Valensuela-Rivera, Nicolas.
 A-5953947, Vanterpool, Othelia Zephara, or Othelia Zephara Maddox.
 A-6682322, Vidana, Jose.
 A-6268881, Villeneuve, Eleanor Rose (nee Perrin).
 A-5367655, Vlattas, Philip Leonidas, or Philipas Vlattas.
 A-3317688, Vrahatis, John Leonidas.
 A-5124778, Vukmanovich, Dusan (alias Ban Bukas).
 A-3782648, Warmbold, Helen Martha, or Helen Martha Winkler, Helen Altman, Helen Martha Heckendorf.
 A-4491798, Wasmer, Joseph.
 A-6669931, Watson, Raymond.
 A-1386494, Wilkins, Ivan King.
 A-9783055, Wojcicki, Stanislaw.
 A-6178542, Yarbrough, Vera Petrovna (nee Vera Petrovna Shebleva).

A-4410248, Zaffino, Joseph or Giuseppe.
 A-2817247, Zaffino, Raffaella Maria (nee Mannella).
 A-5870857, Zane, Irene Hsu (nee Irene Kingman Hsu).
 A-6397729, Zanotelli, Giuditta, Mengoni.
 A-2554473, Zavala, Pedro Reyes, or Pedro Zavala-Reyes.
 A-4494003, Ziccardi, Kay (nee Neamonitis or Katina Neamonitis or Papalambro or Papalombis or Pappalombro).
 A-4782964, Zuluaga, Angel (alias Angel Zuluaga Bidasolo).

EXTENSION OF TIME FOR FILING CLAIMS UNDER THE WAR CLAIMS ACT

The bill (S. 326) to amend the War Claims Act of 1948 was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. HENDRICKSON. Mr. President, reserving the right to object, may we have an explanation of the need for this proposed legislation?

Mr. McCARRAN. Mr. President, this bill extends the time within which the persons who are named in the bill may file claims with the Commission. It further extends the time within which the Commission itself is required to submit a report to the President. This Commission was created by act of Congress, but no appropriation was made for the Commission, and the Commission was not appointed, and therefore did not function. This bill extends the time within which the Commission may function.

Let me say, further, that in the deficiency appropriation bill now pending there is an item for the implementation of the Commission. If I am wrong in that, I may be corrected.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. HENDRICKSON. I thank the Senator from Nevada for his explanation. I withdraw any objection.

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the War Claims Act of 1948 (62 Stat. 1240) is amended in the following respects:

1. The last sentence of section 2 (c) is amended to read as follows: "The limit of time within which claims may be filed with the Commission shall in no event be later than March 1, 1951."

2. Section 8 (a) is amended by striking out the words "March 31, 1949" and inserting in lieu thereof "January 15, 1950."

PER CAPITA PAYMENTS TO RED LAKE BAND OF CHIPPEWA INDIANS

The bill (H. R. 1755) to authorize a \$100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation was considered, ordered to a third reading, read the third time, and passed.

EQUAL RIGHTS FOR MEN AND WOMEN—PROPOSED AMENDMENT OF CONSTITUTION

The joint resolution (S. J. Res. 25) proposing an amendment to the Constitution of the United States relative to equal rights for men and women was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. CONNALLY. Over.

Mr. JOHNSTON of South Carolina. Over.

Mr. RUSSELL. Mr. President, in conformity with the new ruling announced by the Vice President of the United States, I rise to my feet and object.

The PRESIDING OFFICER. The joint resolution will be passed over.

Mr. McCARRAN. Mr. President, I wonder if it would not be well to have it understood by the Senate that where there is on the Consent Calendar a joint resolution providing for amendment of the Constitution of the United States, regardless of what the amendment may be, the joint resolution should not be passed on the Consent Calendar. It seems to me to be a mistake to have a joint resolution of this kind on the Consent Calendar so that it might slip through without proper consideration. I think such a joint resolution should in some way be segregated or designated on the Consent Calendar so that it would not go through by mere consent. It is an error to have measures of this type go through by mere consent, when a vote of two-thirds of this body and of the other body is required to pass such a joint resolution.

BILL PASSED OVER

The bill (H. R. 2632) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. This is the deficiency appropriation bill, the unfinished business, and will be passed over.

Mr. McKELLAR. Mr. President, I want it understood that the bill will go to the foot of the calendar because it is the unfinished business.

COUNSEL FOR IMPOVERISHED DEFENDANTS IN CRIMINAL CASES

The bill (S. 1124) to provide for the appointment and compensation of counsel to impoverished defendants in criminal cases in the United States District Court for the District of Columbia was announced as next in order.

Mr. RUSSELL. Mr. President, may we have some explanation of the bill, and of its scope?

Mr. McCARTHY. Mr. President, the bill merely provides that when there are impoverished defendants not able to employ counsel, the court may employ lawyers and order the lawyers paid at the rate of not to exceed \$25 a day for preparation and \$25 a day while in court. The bill also provides for reimbursement of expenditures. This proposed legislation is similar to that which is in effect in most States. Its purpose principally is to protect the rights of an impoverished defendant.

Mr. TYDINGS. Does the provision for \$25 per day for the preparation of and trial of a case apply to all criminal offenses or only to felonies?

Mr. McCARTHY. That is within the discretion of the court. It applies, I believe, to all criminal cases. The local bar drafted the bill. I have not gone into it in as much detail as I should have. But I am now informed it applies to any criminal offense.

Mr. TYDINGS. I can see a great deal of force to the proposal if it applies to felonies, but I question the wisdom of giving an attorney \$25 to prepare a case and try a case for a defendant involving a misdemeanor, such as exceeding the speed limit, or for not having garbage removed from an alley, or some other minor offense. I shall object, and ask that the bill go over, and ask further if the Senator will not confine the scope of the bill by appropriate amendment before it comes up for consideration on the calendar again. I would have no objection to the bill if it applied only to felonies.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. CONNALLY. Would it not be more desirable to have a regular public defender appointed than to have the court appoint different lawyers in individual cases who might present large bills for a considerable number of days spent in working on cases?

Mr. McCARTHY. Counsel for the District of Columbia Committee tells me that in the past a number of bills providing for a public defender have been before the Senate, but none of them have been passed. I may say that the bill is identical to legislation which is now in existence in many of the States. I think the objection the Senator from Maryland makes would be well taken if we were to assume that the court appointing a lawyer to defend an impoverished defendant would not use his discretion. I do not believe a local judge would allow an attorney \$25 a day to defend the accused person in a speeding case.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MAGNUSON. I may say to the Senator from Wisconsin that the Committee on the Judiciary has reported a bill, which I believe is on the calendar, similar to the bill under consideration, but which would apply to Federal courts throughout the United States. The bill reported by the Committee on the Judiciary provides that the court may appoint counsel and pay the counsel a certain amount per diem while in court defending a felony case. The Federal courts never did provide compensation to attorneys in such cases. The result has been that if an attorney had previously been a United States district attorney, or had been an assistant in that office, and he went to court on arraignment day, he would return with about six impoverished clients. The bill reported by the Committee on the Judiciary has the endorsement of all bar associations.

I may suggest to the Senator from Wisconsin that, in order that the two bills may conform, the amount to be applied in the District of Columbia for preparation of a case be limited to a flat sum of \$20, and the sum of \$20 per diem for each day the attorney appears in court in the trial of a felony case. I think that will meet the approval of all bar associations and all persons who have studied the matter. The two bills would then provide that an attorney appointed by the court to defend an impoverished de-

fendant in a criminal case would be allowed a flat sum of \$20 for whatever time he spends in the preparation of the case, and \$20 for each day he appears in court defending the case.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. RUSSELL. I might say that the Senator from Washington is in error when he says that all States have laws which provide that lawyers appointed by the courts to represent impoverished defendants in criminal cases shall be compensated by the State. There are a number of States which have no such law. I shall be obliged to examine the bill before I can permit it to be passed on the unanimous consent calendar. It seems to me we would be going rather a long way if we were to provide for appointment of attorneys by the courts to defend defendants in criminal cases, in any type of case that may come before the courts. Most of us are members of the bar and try to contribute to the ethics of the bar, but there are, unfortunately, some lawyers who might string out for a period of several days a case which should be tried in 35 or 40 minutes. That might result in the development in the courts of the land of what are called filibusters, which would place a very heavy and unjust charge upon the Government.

Some of the finest representations I have ever witnessed in a courtroom have been by attorneys who were appointed by the court to defend individuals charged with crime, for which the attorneys did not receive a dime, or for which they did not have the hope of ever receiving any compensation. One of the things that has made the legal profession preeminent is the fact that an attorney who is appointed by a judge puts into the trial of the case all the skill and energy within him, for which he does not receive any fee or any substantial fee.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MAGNUSON. I probably should have said "most of the States." I think there are some 37 or 38 States which have such laws. I have forgotten the number. I suppose the courts of the District of Columbia would have to O. K. the vouchers presented by attorneys who have been appointed by the courts. I do not believe any judge would allow an attorney to string out a case merely for the purpose of obtaining \$20 a day. Most of the lawyers who are appointed by the courts are young lawyers just starting to practice. If they secure a client in a Federal or a State court, and, under appointment, are paid \$20, or \$40, that might be barely sufficient to pay the rent for a month. I hope we can get together on these bills.

Mr. McGRATH. Mr. President, I should like to point out in connection with this bill that very often a man charged with a misdemeanor deserves and should have a proper defense in his trial, fully as much as a man charged with a felony. What the Senator from Georgia has said is very true, that one of the great services the bar associations

throughout the United States render is in coming to the defense of indigent persons charged with violating the law. I hardly know any way that this type of legislation can be handled except to leave it to the discretion of the trial judge. We cannot write a law applying to felonies, on the one hand, and another law applying to misdemeanors. It does not mean that the attorney who may be appointed will have to be paid a fee; it probably does not mean that at all, for when only a short time may be consumed in advising a defendant of his rights before the court, and seeing to it that he has his day in court, most Federal judges probably would secure the services of an attorney of the Federal bar to do that without charge.

But here in the District of Columbia, and the same statement applies throughout the United States, many trials are long-drawn-out and protracted. Many times when a lawyer is asked by the court to represent a defendant in a criminal trial he does not know how long it is going to take him. He may very well believe that the trial will only require his services in court for half a day, or for an hour; yet when he gets into the situation he finds that his client has some rights, and in order properly to protect them the case must be adequately prepared, and must be presented over a long period of time in court. I have known members of the bar to undertake the representation of indigent persons in court, when they thought the case would be finished in 1 or 2 days, but, as a matter of fact, the trial lasted as long as 30 days and even as long as 60 days. I know of one such trial which lasted 6 months. In that case the attorney representing the defendant did not get a penny for his work. After he had accepted the case he did not want to appear to be slacking up in his defense of the case. Yet he received no pay, because there was no provision for pay.

Mr. President, in the District of Columbia we have a splendid set of Federal judges. It seems to me we can well leave to their discretion the cases in which they should pay attorneys and the cases in which they should not pay attorneys. That is all the bill does. I am frank to say that I know of no way we can draft a measure of this kind and take into consideration all the various contingencies which might arise, whether the charges involve misdemeanors, serious misdemeanors, felonies, serious felonies, cases requiring the work of 1 day, or the work of 3 months or 6 months.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. HOLLAND. I notice the title of the bill applies only to criminal cases in the United States District Court for the District of Columbia. Is it not true that minor cases in the District of Columbia are tried in the municipal court?

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. McGRATH. The bill applies only to the United States District Court for the District of Columbia.

Mr. HOLLAND. But is it not true that in the District of Columbia minor cases, such as misdemeanor cases, are as a rule tried in the municipal court of the District of Columbia?

Mr. McGRATH. That is true.

The PRESIDING OFFICER. The Senator from Maryland [Mr. TYDINGS] having objected, the bill goes over.

Mr. McCARTHY. Mr. President, may I ask the Senator from Maryland to withhold his objection for a moment?

Mr. TYDINGS. Very well.

Mr. McCARTHY. The type of cases referred to by the Senator from Maryland, traffic violations, health violations, violations of various District ordinances, do not come before the United States district court. They are mainly tried in the municipal court. So we are not dealing with the minor cases. From my experience as a judge I am firmly convinced that proper and adequate defense cannot be provided for an indigent defendant unless provision is made for appointment and compensation of an attorney in the case.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. TYDINGS. There is an additional reason why the Senator from Maryland objects.

In the first place, I see no point in having one policy for the district courts of the rest of the Nation and another policy for the district courts of the District of Columbia, which come under the same Congress. The policy should be uniform. If we are making a policy for the United States district courts generally to apply only to felonies, then it ought to apply only to felonies in the District of Columbia. Whatever the law is for the rest of the Nation, it ought to be the same for the District, neither more nor less.

The Senator from Maryland will not object if the laws of the District of Columbia are brought into consonance with the laws for the rest of the Nation, if the policy applies only to felonies. The Senator from Maryland does not believe that it is good policy to pay out public money for the defense of mere misdemeanors.

Mr. McCARTHY. Mr. President, we shall be glad to discuss this question with the Committee on the Judiciary and try to bring our bill into line, if possible, with the legislation which is proposed for the rest of the country. I ask the Senator from Maryland to be present later this afternoon or tomorrow when we discuss another bill in which we shall try to bring legislation for the District into line with legislation for the Nation as a whole. If I may, I shall quote him at that time.

Mr. TYDINGS. What is the bill?

Mr. McCARTHY. The District of Columbia rent-control legislation.

Mr. TYDINGS. I do not think the cases are similar. The courts of the Nation operate under uniform rules, but the rents of the Nation are not uniform. Conditions are not uniform. Crime is the same all over the Nation; but the rent equation is different with each city,

each locality, and each State. Their climates are different. In some places heat is required, and in other places it is not necessary. There is no similarity between the questions. The Senator's argument is drawing, not a red herring, but a yellow herring, across the trail.

Mr. McCARTHY. Mr. President, I think our 5 minutes have about expired.

In my judgment, the two situations are identical. Right and wrong are the same in all 48 States and in the District of Columbia. If a rule or regulation is right for the people in cities in the Senator's State, it is right for the people in cities in my State, and for the people in the District of Columbia.

I hope the Senator will be present when we discuss the question to which I referred a moment ago. We want to have the same rules and regulations for the area in which Senators live as we have for the area in which the constituents of Senators live.

The PRESIDING OFFICER. The Senator from Maryland insists on his objection. The bill will be passed over. The clerk will state the next bill on the calendar.

ENFORCEMENT OF CERTAIN COURT ORDERS IN THE DISTRICT OF COLUMBIA IN CONNECTION WITH PAYMENT OF TEMPORARY AND PERMANENT MAINTENANCE

This bill (S. 1125) to amend section 16-415 of the Code of Laws of the District of Columbia, to provide for the enforcement of court orders for the payment of temporary and permanent maintenance in the same manner as directed to enforce orders for permanent alimony was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That that act of March 3, 1901 (31 Stat. 1346, ch. 854, sec. 980), otherwise known as section 16-415 of the Code of Laws of the District of Columbia, 1940 edition, is amended to read as follows:

"Whenever any husband shall fail or refuse to maintain his wife and minor children, if any, although able so to do, the court, on application of the wife, pendente lite and permanently, may decree that he shall pay her, periodically, such sums as would be allowed to her as pendente lite or permanent alimony in case of divorce for the maintenance of herself and the minor children, if any, committed to her care by the court, and the payment thereof may be enforced in the same manner as directed in regard to the payment of permanent alimony."

NOTICES IN CONNECTION WITH PROBATE OF WILLS IN THE DISTRICT

The bill (S. 1127) to amend sections 130 and 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the notice to be given upon a petition for probate of a will, and to the probate of such will, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first paragraph of section 130 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended by the act approved June 30, 1902

(title 19, sec. 301, D. C. Code, 1940), is amended to read as follows:

"SEC. 130. Notice of petition for probate: Upon the filing of a petition for probate of a will, notice, as hereinafter provided, shall be issued to all persons who would be entitled to or interested in the estate of the testator in case such will had not been executed to appear in said court on a date named in the notice, and to show cause why the prayer of the petition should not be granted.

"(a) Such notice may be by a citation in which the return date named is not earlier than 10 days after the filing of said petition, and which citation shall be served in the District of Columbia, by the United States marshal, or deputy marshal, not less than 5 days before the return day named in said citation.

"(b) Such notice may be by a citation in which the return date named is not earlier than 20 days after the filing of said petition, and which citation shall be served not less than 10 days before the return date named in said citation: *Provided*, That such citation may be served only on nonresidents of the District of Columbia, and upon residents of said District who have been returned 'Not to be found' under paragraph (a) of this section, and such service may be made only by a person not less than 18 years of age who is not a party to or otherwise interested in the estate of the decedent, and the return in such case must be made under oath in the District of Columbia, unless the person making the service be a sheriff or deputy sheriff, a marshal or deputy marshal, authorized to serve process where service is made, and such return must show the time and place of service.

"(c) Such notice, whenever there is proof by the petition for probate or by other affidavit that any or all of such persons, interested as aforesaid, are nonresidents of the District of Columbia, or whenever they or any of them have been returned 'Not to be found' under paragraph (a) of this section, may be by a publication in which the return date named is not less than 30 days after the date of the first appearance of the publication, and which shall be published once in each of three successive weeks in some newspaper of general circulation in the District of Columbia, and a copy of this published notice shall be mailed to the last-known address of each of the persons, interested as aforesaid, who is not shown to have been returned served personally under either paragraph (a) or paragraph (b) of this section. The court may by general rule prescribe the form of such notice by publication, and may order such other publication as the case may require."

SEC. 2. Section 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (title 19, sec. 305, D. C. Code, 1940), is amended to read as follows:

"SEC. 131. PROBATE.—When notice as prescribed in section 130 has been completed in any case the court shall proceed, if no caveat be filed, to take the proofs, or to consider the proofs theretofore taken, of the execution of the will. All the witnesses to such will who are within the District and competent to testify must be produced and examined, or the absence of any of them satisfactorily accounted for."

AMENDMENT OF CODE OF LAWS OF THE DISTRICT TO CONFORM TO FEDERAL RULES OF CIVIL PROCEDURE

The bill (S. 1129) to amend section 16-416 of the Code of Laws of the District of Columbia to conform to the nomenclature and practice prescribed by the Federal Rules of Civil Procedure was con-

sidered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the acts of March 3, 1901 (31 Stat. 1345, ch. 854, sec. 963), and of June 30, 1902 (32 Stat. 537, ch. 1329), otherwise known as section 16-416 of the Code of Laws of the District of Columbia, 1940 edition, are amended to read as follows:

"All applications for divorce or for a decree annulling a marriage shall be made by complaint to the United States District Court for the District of Columbia, and the proceedings thereupon shall be the same as in equity causes, except so far as otherwise herein provided."

AMENDMENT OF CODE OF LAW OF THE DISTRICT WITH RELATION TO CAVEATS TO WILLS

The bill (S. 1132) to amend section 137 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the time within which a caveat may be filed to a will after the will has been probated, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 137 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (title 19, sec. 309, D. C. Code, 1940), is amended to read as follows:

"Sec. 137. Caveat: If, upon the hearing of the application to admit a will to probate, the court shall decree that the same be admitted to probate, any person in interest may file a caveat to said will and pray that the probate thereof may be revoked at any time within 1 year after such decree."

AMENDMENT OF CODE OF LAWS OF THE DISTRICT RELATING TO DEFENSE OF UNCONTESTED ANNULMENT CASES

The bill (S. 1133) to amend section 16-418 of the Code of Laws of the District of Columbia, to provide that an attorney be appointed by the court to defend all uncontested annulment cases was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of March 3, 1901 (31 Stat. 1347, ch. 854, sec. 982), otherwise known as section 16-418 of the Code of Laws of the District of Columbia, 1940 edition, is amended to read as follows:

"In all uncontested divorce or annulment cases, and in any other divorce or annulment case where the court may deem it necessary or proper, a disinterested attorney shall be assigned by the court to enter his appearance for the defendant and actively defend the cause, and such attorney shall receive such compensation for his services as the court may determine to be proper, such compensation to be paid by the parties as the court may direct."

SERVICE OF PROCESS IN THE DISTRICT ON CERTAIN AGENTS, ETC.

The Senate proceeded to consider the bill (S. 1123) to amend section 1537 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, so as to provide for service of process on agents or employees of a nonresident individual, partnership, association, group, organization, or foreign corporation, conducting a business in the District of Columbia, which had been reported from the Committee on the District of Colum-

bia with an amendment on page 2, line 21, after the word "court", to insert a colon and a proviso, so as to make the bill read:

Be it enacted, etc., That section 1537 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D. of C. Code, 1940, title 13, sec. 103), is amended to read as follows:

"Sec. 1537. Service on a nonresident individual, partnership, association, group, organization, and foreign corporation: In any action against a nonresident individual, partnership, association, group, organization, or foreign corporation doing business in the District of Columbia, all process may be served on the agent of such nonresident individual, partnership, association, group, organization, or foreign corporation or the person doing or conducting the business of such nonresident individual partnership, association, group, organization, or foreign corporation; or, in case such agent of a nonresident individual, partnership, association, group, organization, or foreign corporation is absent and cannot be found by leaving a copy at the principal place of business in the District of Columbia of such nonresident individual, partnership, association, group, organization, or foreign corporation; or, if there be no such place of business, by leaving the same at the place of business or residence of such agent in said District of Columbia; and such service shall be effectual to bring the nonresident individual, partnership, association, group, organization, or foreign corporation before the court: *Provided*, That such service of process shall be effectual to bring the nonresident individual, partnership, association, group, or organization before the court only as to suits growing out of contracts entered into or to be performed in whole or in part, in the District of Columbia, or growing out of any tort committed in the said District of Columbia.

"When a nonresident individual, partnership, association, group, organization, or foreign corporation shall do business in the District of Columbia, without having any place of business or resident agent therein, service in the District of Columbia upon any officer or agent of such nonresident individual, partnership, association, group organization, or foreign corporation shall be effectual as to suits growing out of contracts entered into or to be performed, in whole or in part, in the District of Columbia or growing out of any tort committed in the said District of Columbia.

"When a nonresident individual, partnership, association, group, or organization is served in the manner provided in the foregoing provisions of this section, then notice of such service and a copy of the summons and complaint shall be sent within 10 days by registered mail, return receipt requested, by the plaintiff or his attorney, to the defendant nonresident individual, partnership, association, group, or organization, at the defendant's last known address; and the plaintiff, or his attorney, shall file with the clerk of the court in which the action is pending an affidavit of compliance herewith and, either, a return receipt purporting to be signed by the defendant or defendants, or a person qualified to receive his or their registered mail, in accordance with the rules and customs of the Post Office Department; or, if acceptance was refused by the defendant or defendants, or his or their agent, the original envelope, bearing a notation by the postal authorities that receipt was refused, and an affidavit by or on behalf of the plaintiff that notice of such mailing and refusal was sent within 10 days to the defendant or defendants by ordinary mail. The foregoing papers shall be filed within 30 days

after the return receipt or other official proof of delivery or the original envelope bearing a notation of refusal, as the case may be, is received by the plaintiff. Service of process shall be complete 10 days after such papers are filed. The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least 20 days shall have elapsed after completion of service of process as hereinabove provided."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 1537 of the act entitled 'An act to establish a code of law for the District of Columbia,' approved March 3, 1901, as amended, so as to provide for service of process on agents of a nonresident individual, partnership, association, group, organization, or foreign corporation, conducting a business in the District of Columbia."

INCREASE OF FUNERAL EXPENSE ALLOWANCE FROM DECEDENT'S ESTATE IN THE DISTRICT

The Senate proceeded to consider the bill (S. 1130) to amend sections 356 and 365 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to increase the maximum sum allowable by the court out of the assets of a decedent's estate as a preferred charge for his or her funeral expenses from \$600 to \$1,000 which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That section 356 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (title 18, sec. 520, D. C. Code, 1940), lines 1, 2, 3, and 4 are amended by striking out the words "after the payment of funeral expenses according to the condition and circumstances of the deceased, not exceeding \$600" and inserting in lieu thereof "that in the payment of funeral expenses the court shall make a reasonable allowance for such funeral expenses according to the condition and circumstances of the deceased, not exceeding \$1,000."

Sec. 2. Section 365 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended by the act approved June 30, 1902 (title 20, sec. 605, D. C. Code, 1940), lines 5, 6, 7, and 8 are amended by striking out "\$300: *Provided*, That for special cause shown the court may make such additional allowance not exceeding \$300 as such special circumstances may warrant" and inserting in lieu the words "one thousand dollars."

Mr. MCCARTHY. Mr. President, on page 2, line 21, after the figure "\$1,000", and within the quotation marks, the word "and" has been inadvertently omitted. I therefore move to amend the committee amendment by inserting the word "and" within the quotation marks after the figure "\$1,000."

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 2, line 21, in the committee amendment, after the figure "\$1,000", it is proposed to insert the word "and."

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SETTLEMENT OF ESTATES OF DECEDENTS IN THE DISTRICT

The Senate proceeded to consider the bill (S. 1131) to amend sections 260, 267, 309, 315, 348, 350, and 361 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide that estates of decedents being administered within the probate court may be settled at the election of the personal representative of the decedent in that court 6 months after his qualification as such personal representative, which had been reported from the Committee on the District of Columbia with amendments, on page 2, line 7, after the words "striking out the" to strike out "word 'thirty'" and insert "words 'within thirty days after the first publication'"; in line 8, after the words "in lieu thereof the" to strike out "word 'ten'" and insert "words 'within ten days after publication'"; and in line 15, after the word "title" to strike out "14" and insert "18", so as to make the bill read:

Be it enacted, etc., That section 260 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended by the act approved June 30, 1902 (title 18, sec. 501, D. C. Code, 1940, line 11), is amended by striking out therefrom the words "one year" and inserting in lieu thereof the words "six months."

SEC. 2. Section 267 of said act approved March 3, 1901 (title 20, sec. 306, D. C. Code, 1940, lines 6 and 9), is amended by striking out the word "twenty" and inserting in lieu thereof the word "five" and by striking out the words "within thirty days after the first publication" and inserting in lieu thereof the words "within ten days after publication."

SEC. 3. Section 309 of said act approved March 3, 1901 (title 18, sec. 401, D. C. Code, 1940, line 2), is amended by striking out the words "three months" and inserting in lieu thereof the words "two months."

SEC. 4. Section 315 of said act approved March 3, 1901 (title 18, sec. 407, D. C. Code, 1940, line 3), is amended by striking out the words "three months" and inserting in lieu thereof the words "two months."

SEC. 5. Section 348 of said act approved March 3, 1901 (title 18, sec. 518, D. C. Code, 1940, lines 9, 15, and 19), is amended by striking out the words "nine months" where they appear three times in said section and inserting each time in lieu thereof the words "three months."

SEC. 6. Section 350 of said act approved March 3, 1901 (title 18, sec. 526, D. C. Code, 1940, lines 2 and 6), is amended by striking out the words "one year" and inserting in lieu thereof the words "six months" and by striking out the words "at least six months" and inserting in lieu thereof the words "at least three months."

SEC. 7. Section 361 of said act approved March 3, 1901 (title 20, sec. 601, D. C. Code, 1940), is amended by striking the period at the end of said section and inserting in lieu thereof a colon and the following words: "Provided, That said account may be rendered 6 months from the date of his letters."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTIVE SERVICE BY PUBLICATION IN ANNULMENT ACTIONS IN THE DISTRICT

The Senate proceeded to consider the bill (S. 1134) to amend section 13-108 of the Code of Laws of the District of Columbia to provide for constructive service by publication in annulment actions, which had been reported from the Committee on the District of Columbia with amendments, on page 1, after line 2, to strike out:

That the act of March 3, 1901 (31 Stat. 1206, ch. 854, sec. 105), otherwise known as the first paragraph of section 13-108 of the Code of Laws of the District of Columbia, 1940 edition, is amended to read as follows:

And insert:

That the first paragraph of section 105 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (31 Stat. 1206, ch. 854), as amended (sec. 13-108, D. of C. Code, 1940 edition), is amended to read as follows:

And on page 2, line 1, after the word "service", to strike out "or" and insert "of", so as to make the bill read:

Be it enacted, etc., That the first paragraph of section 105 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (31 Stat. 1206, ch. 854), as amended (sec. 13-108, D. of C. Code, 1940 edition), is amended to read as follows:

"Publication may be substituted for personal service of process upon any defendant who cannot be found and who is shown by affidavit to be a nonresident, or to have been absent from the District for at least 6 months, or against the unknown heirs or devisees of deceased persons, in suits for partition, divorce, annulment, by attachment, foreclosure of mortgages and deeds of trust, the establishment of title to real estate by possession, the enforcement of mechanics' liens, and all other liens against real or personal property within the District, and in all actions at law and in equity which have for their immediate object the enforcement or establishment of any lawful right, claim, or demand to or against any real or personal property within the jurisdiction of the court:

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SETTLEMENT OF SMALL ESTATES IN THE DISTRICT

The Senate proceeded to consider the bill (S. 1135) to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide a family allowance and a simplified procedure in the settlement of small estates, which had been reported from the Committee on the District of Columbia with an amendment on page 1, line 9, after the word "any" to strike out "married", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, is amended by adding to chapter 5 thereof a new subchapter 9 to read as follows:

"FAMILY ALLOWANCE AND ADMINISTRATION OF SMALL ESTATES"

"SEC. 394. (a) Upon the death of any person leaving a surviving spouse the said surviving

spouse shall be entitled to an allowance out of the personal estate of said decedent of the sum of \$500 for his or her use, and that of any minor children, to be paid in money or in specific property at its fair value as may be elected, and which allowance shall be exempt from any and all debts and obligations of the decedent, and subject only to payment of funeral expenses not exceeding \$200; and, if there be no surviving spouse, the surviving minor children if any there be shall be entitled to a like allowance, and which shall be payable, in the discretion of the probate court, to the person having their custody or to such other person as it shall designate, and shall be used by such person solely for said minor's care and maintenance. Said family allowance shall be in addition to the respective share or shares of the surviving spouse and children.

"(b) When any person dies, leaving a small estate consisting only of personal property of a value not in excess of \$500, and there be a surviving spouse or minor children entitled to the family allowance authorized in the preceding section, if such surviving spouse or minor children (acting through the person having their custody or a next friend) file in the probate court a petition, under oath, declaring: The time and place of decedent's death; the known next of kin; the known assets and by whom held; that petitioner has made a diligent search to discover all assets of the deceased; the amount of funeral expenses and to whom due; and that said assets do not exceed \$500 in value; the probate court, if satisfied that the allegations in the petition are true, shall pass a final order (1) declaring that no formal administration is necessary and no probate is required of any will; (2) fixing the amount of funeral expenses allowable, to whom due, and out of what property to be paid; (3) vesting title to the remainder of the property in the surviving spouse or minor children, as the case may be, in satisfaction of his, her, or their family allowance; and (4) directing the person or persons having possession of said property to pay over, transfer, and deliver the same as allotted. The probate court may also authorize in said order, or by further order, the sale of any of said property as the exigencies of the situation require.

"(c) (1) When anyone dies intestate, leaving a small estate consisting only of personal property of a value not in excess of \$500, and there be no spouse or minor children surviving, if the person entitled to be preferred in the appointment of an administrator files in the probate court a petition, under oath, declaring: The time and place of decedent's death; the known next of kin; that diligent search has been made for a will; the known creditors, together with the amount of each claim, including contingent and disputed claims; and funeral expenses; the known assets and by whom held; that petitioner has made a diligent search to discover all assets and debts of the deceased; that said assets do not exceed \$500 in value; and that there are no known legal proceedings pending in which the decedent is a party; the probate court, if satisfied that the allegations in said petition are true, shall pass a preliminary order declaring that no formal administration is necessary and instructing the petitioner to publish once in substantially the usual form notice to creditors to exhibit their claims duly authenticated, within 30 days after such notice, and which notice shall be inserted in one newspaper of general circulation in the District of Columbia as said court shall direct.

"(2) Whenever such a preliminary order has been passed and the notice has been published and the time provided in such notice has expired, the petitioner shall file, under oath, a statement, with the usual proof of publication attached, that the notice has been published, and that the said time has expired, and listing all then known

creditors, including contingent and disputed claims, and the amount of each claim. If satisfied that said statement is true, and after hearing and disposing of any objections filed in the probate court by anyone interested in the estate, the probate court shall pass a final order (1) directing the petitioner to pay from the estate all of said claims, in the order of priority provided by law, and (2) authorizing any person having possession of any property of the decedent's estate to transfer, pay over, and deliver the same in accordance with petitioner's directions, and (3) decreeing that, after the Register of Wills certifies upon said final order that he has seen the vouchers for the payment of said claims and is satisfied that said claims, as well as the fees hereinafter provided for, have been paid, then the remaining balance of the estate, if any, shall be vested as follows: First, in the adult surviving children equally, and, secondly, if there be no adult surviving children, then in those persons who would be entitled thereto under the statute of distributions (the share of any minor shall be payable, in the discretion of the probate court, to the person having custody or to such other person as it shall designate, to be used solely for the care and maintenance of such minor).

"(3) The probate court may also provide in its final order for sale of any property, upon such terms as it deems advisable, and for the distribution of the proceeds in accordance with its final order.

"(d) In the absence of fraud, no person who pays over, transfers, or delivers any property pursuant to the provisions of a final order entered under section 394 (b), or to the directions of a petitioner acting under authority of a final order under section 394 (c), shall be liable for the application thereof, nor shall any such person, nor any person who receives any property pursuant to the provisions of a final order entered under section 394 (b), or to the directions of a petitioner acting under authority of a final order under section 394 (c), be responsible for any claims on account of the payment, transfer, delivery, or receipt of such property; and the property distributed pursuant to a final order in either case shall be and become the absolute property of the respective distributees thereof.

"(e) No petitioner under this act shall be required to be represented by an attorney, or to give bond, nor receive any commission for performing any work or services hereunder.

"(f) The Register of Wills shall prepare, and make available, forms whereby the petition and final order under section 394 (b), and the petition, preliminary order, the statement, the final order, and the certificate of payment under section 394 (c), shall constitute in each case one connected instrument. In lieu of all other fees, costs, or charges, the Register of Wills shall receive a fee of \$5 for all services and work administered under this act, including the taking of all affidavits, plus a fee of 25 cents for each certified copy of the aforesaid instruments.

"(g) The discovery of any additional property of the decedent, after the filing of a petition in either case provided for in this act, shall be reported by the petitioner to the probate court as soon as discovered by him. The existence of said additional property shall not invalidate any proceedings under this act except when the additional property is discovered before the passage of the final order provided for, and either (1) is real estate or (2) increases the total value of the estate to more than \$500, in which case no final order shall be passed under this act and the court shall require regular administration. Where additional property is discovered after passage of the final order, if said property is entirely personal and does

not increase the value of the total estate to more than \$500, then such additional property may be distributed pursuant to a new petition under the appropriate section of this act; in all other cases such additional property may not be distributed under this act.

"(h) Any person who makes a false affidavit under this act, or who willfully violates any order of the probate court under this act or any other provision of this act, shall be liable to a fine of not exceeding \$500 for each offense.

"(i) All acts or parts of acts inconsistent with the provisions of this act shall be, and they are hereby, repealed to the extent of such inconsistency but only to such extent.

"(j) This act shall apply to the estates of all persons dying after the date of the approval of this act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INVESTIGATION OF CROP PRODUCTION AND UTILIZATION

The Senate proceeded to consider the resolution (S. Res. 36), to investigate certain matters relating to crop production and utilization.

Mr. HENDRICKSON. Mr. President, I should like to have an explanation of the resolution. I should like to know why there was not included in the resolution provision for the investigation of the production and utilization of timber products, as well as grains, canes, fruits, vegetables, and livestock.

Mr. GILLETTE. Mr. President, I will say in answer to the distinguished Senator that this resolution is in the identical form of the resolution under which a former subcommittee operated, which had for its purpose the investigation of the distribution and the broadened utilization of farm crops such as vegetables and grains. I know of no objection to broadening the resolution to include timber; but that was not included in the former resolution.

Mr. HENDRICKSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey will be stated.

The CHIEF CLERK. On page 2, line 25, after the word "livestock" where it occurs the first time, it is proposed to strike out "and livestock products" and insert "livestock products, and timber products."

Mr. GILLETTE. Mr. President, I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. HENDRICKSON].

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Senate Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the production, means of production, and plans for production of all types of agricultural crops, with particular reference to the fullest possible utilization of the Nation's food, feed, and fiber production, including studies of the construction, location, management, and use of industrial plants for the processing of

various farm products. Also including studies in the field of the distribution of farm crops and the methods and costs of transferring the crops from the producer to the consumer. Also including special attention to new uses and the study and development of new uses and markets, both foreign and domestic, for farm crops, including further studies in the production, means of production, and plans for production of industrial alcohol, synthetic alcohol, and synthetic rubber, and the utilization of all natural materials for such purposes. Also including investigation of the organization or organizations now controlling or seeking to control for the future such alcohol and rubber production together with the use of patents and processes used in such manufacture whether developed or owned in whole or in part by foreign companies, corporations, individuals, or agents, and particularly to inquire into the plans and purposes and policies of our governmental agencies with reference to such utilization in the processing and production of industrial alcohol, synthetic alcohol, and synthetic rubber. And the subcommittee is specifically directed to make careful study in all fields of possible expanded use of farm production, looking to the fullest possible utilization of farm crops to prevent as far as possible the adverse impact of recurrent surpluses of farm production on our agricultural economy and on the other segments of the Nation's economic structure. For the purpose of this investigation, farm crops include grains, canes, fruits, vegetables, livestock, livestock products, and timber products.

SEC. 2. The committee shall report to the Senate, as soon as practicable, the results of its study and investigation, together with its recommendations.

SEC. 3. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized during the sessions, recesses, and adjourned periods of the Eighty-first Congress, to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable and with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of all agencies in the executive branch of the Government. The expenses of the committee under this resolution, which shall not exceed \$12,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL TEMPORARY ASSISTANTS FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE

The resolution (S. Res. 78) authorizing the Committee on Post Office and Civil Service to employ additional temporary assistants and increasing the limit of its expenditures, submitted by Mr. JOHNSTON of South Carolina on February 28, 1949, was considered, and agreed to, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by subsection (e) (2) "the status of officers and employees of the United States, including their compensation, classification, and retirement" and subsection (e) (3) "the postal service generally, including the railway mail service and measures relating to ocean mail and pneumatic-tube service" of Public Law 601, Seventy-ninth Congress, the Committee on Post Office and Civil Service is authorized during the period beginning March 1, 1949, and ending December 31, 1949, to make such expenditures and to employ upon a temporary basis such investigators, clerical and other assistants, as it deems advisable.

SEC. 2. The expenses of the committee under this resolution (which shall not exceed

\$5,000) shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Post Office and Civil Service.

INVESTIGATION OF FINANCIAL CONDITION OF AIR-LINE INDUSTRY

The resolution (S. Res. 50) to investigate the financial condition of the air-line industry, was announced as next in order.

THE PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. McCARRAN. Mr. President, I should like to have the attention of the Senator from Colorado with respect to this measure, although my remarks do not exactly address themselves to it. I understand that it is the policy of the Senator from Colorado to defer action on all aviation bills. I further understand that some eight bills which have been introduced by the senior Senator from Nevada do not come under that category.

I wonder whether the Senator from Colorado has in mind taking up those eight bills soon.

Mr. JOHNSON of Colorado. Mr. President, on behalf of the committee, I say to the Senator from Nevada that it is our purpose and our plan to take up in the very near future the bills to which the Senator refers.

Mr. McCARRAN. I refer particularly to the Federal airport bills.

Mr. JOHNSON of Colorado. Yes; they will be taken up.

THE PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment, to strike out all after the preamble and insert:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized and directed during the Eighty-first Congress to make a full and complete study and investigation of such problems as it may deem proper relating to (1) the financial stability and operational efficiency of the air-line industry; (2) all matters pertaining to the United States merchant marine; (3) all domestic land and water transportation to determine (a) whether existing conditions conform to the national transportation policy as declared in the Interstate Commerce Act, and (b) the effect of large expenditures of public moneys and private capital upon transportation charges and to what extent such expenditures are reflected in costs of production and prices to consumers; and (4) all matters relating to radio, telegraph, and telephone communications, including (a) the problems relating to American common carriers operating in the domestic and international fields, including the relationship of these problems to the national security of the United States; (b) the problems presented by requirements of international treaties and conventions in relation to such revisions as may be necessary to the Communications Act of 1934; (c) the problems arising from unprecedented demands for frequencies for such communication services as television; safety and special services, including aviation, railroads, busses, trucks, taxicabs; common-carrier uses; and industrial uses; and the policies which the Congress should adopt for the

granting of such allocations; (d) the manner in which the Federal Communications Commission exercises its licensing authority with respect to radio applications; (e) the extent to which the Federal Communications Commission examines the qualifications of applicants for licenses or renewals of licenses in order to determine that only qualified persons are licensed to operate radio stations or other licensed facilities; and (f) the extent to which the Federal Communications Commission examines the operation or proposed operation of radio stations in order to assure that such stations have been or will be operated in the public interest.

SEC. 2. The committee shall report its findings, and recommend such legislation as it may deem advisable to the Senate at the earliest practicable date.

SEC. 3. For the purposes of this resolution the committee or any duly authorized subcommittee thereof, is authorized, during the sessions, recesses, and adjourned periods of the Eighty-first Congress, (1) to make such expenditures, as it deems advisable; (2) to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable; and (3) with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed \$165,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The amendment was agreed to.

The resolution as amended, was agreed to.

The preamble was rejected.

The title was amended so as to read: "Resolution to investigate problems relating to the air-line industry, the United States merchant marine, domestic land and water transportation, and radio, telegraph, and telephone communications."

COMPENSATION OF EMPLOYEES OF VETERANS' CANTEN SERVICE

The bill (S. 1185) to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the Service, and for other purposes, was announced as next in order.

THE PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPEL. Mr. President, may we have an explanation of the bill?

Mr. GEORGE. Mr. President, a bill similar to this was reported during the Eightieth Congress by the Senate Finance Committee. I am not sure but what the bill then passed the Senate. However, it did not become law. The Veterans' Administration requested that the bill be reintroduced at this session of the Congress.

The bill simply would relieve the Veterans' Administration from the payment of the supervisory or administrative personnel of the Canteen Service. That is the chief purpose of the bill. Under the bill, the payment of the employees would be made out of the profits made by the Canteen Service.

The Administrator of Veterans' Affairs advised the committee last year that the bill was agreeable to all the veterans' organizations, and that there was no opposition to it at any point. Therefore, the bill was reported last year, and

may have passed the Senate, but it did not pass the House.

So, for the second time, the bill has been considered by the Senate Finance Committee, and has been unanimously reported.

There are one or two other features of the bill, but I have referred to its principal provision. It will save to the Veterans' Administration, out of their appropriated funds, a little more than \$1,000,000 a year. However, the Canteen Service makes a profit, and will continue to do so; and these payments will now be made out of the Canteen Service funds.

Mr. SCHOEPEL. Mr. President, I should like to ask the Senator a question. On page 3, beginning in line 8, the wording is:

Such checks, money orders, and other similar instruments may be cashed outright or may be accepted in payment for merchandise or services, and the difference between the amount of the purchase and the amount of the tendered instrument refunded in cash.

There is some question as to whether a limitation should be placed on that authority.

Mr. GEORGE. That question did arise; but we were advised, as I now recall, by the Administrator and by the witnesses who appeared at the hearing during the last Congress, not the present Congress, that such checks were generally in small amounts, or the difference payable to the customer was a small amount, and that it had been found practicable and convenient to allow the Canteen Service to cash the checks. We were advised that there was no danger in that provision. Someone questioned it when the bill was originally introduced, I may say to the Senator. A limitation could well have been placed upon the amount; but inasmuch as these check transactions are not usually in large amounts, it was thought that there would be no danger in leaving the provision without limit.

Mr. SCHOEPEL. In the judgment of the distinguished Senator from Georgia, those amounts would be only nominal, I understand.

Mr. GEORGE. I think that is true. That was understood at the time.

I may say to the Senator that the Veterans' Administration very much desires to have the bill enacted, because it will relieve it not only of the payment of a considerable amount of money, but also of quite a great deal of detail work, which the Veterans' Administration would like to get rid of.

Mr. SCHOEPEL. I thank the Senator.

Mr. President, I have no objection.

Mr. HENDRICKSON. Mr. President, I wonder whether the Senator from Georgia would object to one or two amendments to limit the amount.

THE PRESIDING OFFICER. Before amendments are suggested, the question is, Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like to present some amendments; and I send them to the desk.

The PRESIDING OFFICER. The amendments will be read, for the information of the Senate.

The CHIEF CLERK. On page 3, in line 4, after the word "instruments", it is proposed to insert "in nominal amounts;" and in line 10, after the word "accepted", it is proposed to insert a comma and the words "subject to strict administrative controls."

Mr. GEORGE. Mr. President, do I correctly understand that those amendments apply to checks which are cashed?

Mr. HENDRICKSON. Yes; they do.

Mr. GEORGE. Then I have no objection to them.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1185) which had been reported from the Committee on Finance with an amendment, at the end of the bill to insert:

SEC. 4. The provisions of this act shall take effect on the 1st day of July 1949.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendments submitted by the Senator from New Jersey.

The amendments were agreed to.

The PRESIDING OFFICER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsections (d) and (e) of section 2 of the act of August 7, 1946 (50 Stat. 888, 38, U. S. C. 13a), are amended to read as follows:

"(d) To transfer to the Service without charge, rental, or reimbursement such necessary equipment as may not be needed for other purposes, and furnish the Service such services and utilities, including light, water, and heat, as may be available and necessary for its use: *Provided*, That reasonable charges, to be determined by the Administrator, shall be paid annually by the Service for the utilities so furnished.

"(e) To employ such persons as are necessary for the establishment, maintenance, and operation of the Service, and to pay the salaries, wages, and expenses of all such employees from the funds of the Service. Such personnel shall be excluded from the determinations and reports required by section 607 of the Federal Employees Pay Act of 1945, as amended (5 U. S. C. 947), with respect to personnel ceilings. Personnel necessary for the transaction of the business of the Service at canteens, warehouses, and storage depots shall be appointed, compensated from funds of the Service, and removed by the Administrator without regard to civil-service laws and the Classification Act of 1923, as amended: *Provided*, That such employees shall be subject to the Veterans' Preference Act of 1944, the Civil Service Retirement Acts, and laws administered by the Bureau of Employees Compensation applicable to civilian employees of the United States."

SEC. 2. Section 2 of the act of August 7, 1946 (50 Stat. 888, 38 U. S. C. 13a), is amended by adding a new subsection (k) at the end thereof as follows:

"(k) To authorize the use of funds of the Service when available, subject to such reg-

ulations as he may deem appropriate, and without regard to the provisions of sections 3639 and 3651, Revised Statutes of the United States, as amended (31 U. S. C. 521, 543), for the purpose of cashing checks, money orders, and similar instruments in nominal amounts for the payment of money presented by veterans hospitalized or domiciled at hospitals and homes of the Veterans' Administration, and by other persons authorized by section 3 of this act to make purchases at canteens. Such checks, money orders, and other similar instruments may be cashed outright or may be accepted, subject to strict administrative controls, in payment for merchandise or services, and the difference between the amount of the purchase and the amount of the tendered instrument refunded in cash."

SEC. 3. Section 4 of the act of August 7, 1946 (50 Stat. 889, 38 U. S. C. 13c), is amended to read as follows:

"SEC. 4. To finance the establishment, maintenance, and operation of the Service there is hereby authorized to be appropriated from time to time such amounts as are necessary to provide for (a) the acquisition of necessary furniture, furnishings, fixtures, and equipment for the establishment, maintenance, and operation of canteens, warehouses, and storage depots; (b) stocks of merchandise and supplies for canteens and reserve stocks of same in warehouses and storage depots; (c) salaries, wages, and expenses of all employees; (d) administrative and operation expenses and premiums on fidelity bonds of employees; and (e) adequate working capital for each canteen and for the Service as a whole. Amounts heretofore or hereafter appropriated under the authority contained in this act, as amended, and all income from canteen operations become and will be administered as a revolving fund to effectuate the provisions of this act, as amended."

SEC. 4. The provisions of this act shall take effect on the 1st day of July 1949.

CANCELLATION OF AGREEMENT BETWEEN PORT OF SEATTLE AND UNITED STATES SHIPPING BOARD

The joint resolution (S. J. Res. 32) to authorize the cancellation and release of an agreement dated December 31, 1923, entered into between the Port of Seattle and the United States of America, represented by the United States Shipping Board acting through the United States Shipping Board Emergency Fleet Corporation, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, That the Secretary of the Army, acting on behalf of the United States, is hereby authorized to negotiate for and enter into an agreement for such period and on such terms and conditions as he deems advisable for the continuing use by the United States of the property on which pier 39 and its appurtenant facilities are located and that the Attorney General, or his duly authorized representative, acting on behalf of the United States, upon notification that such an agreement has been entered into, is hereby authorized and directed to execute the necessary document or documents to release and cancel that certain agreement entered into on the 31st day of December 1923 by and between the Port of Seattle, a municipal corporation, and the United States of America, represented by the United States Shipping Board, acting by and through the United States Shipping Board Emergency Fleet Corporation, a corporation organized and existing under the laws of the United States for the District of Columbia, which said agreement was recorded on the 17th day of March 1924 in the office of the King County auditor

in the State of Washington under volume 54 of Chattel Mortgages, page 614, and volume 887 of Real Property Mortgages, page 448, bearing file No. 1844599.

The preamble was agreed to.

BILLS PASSED OVER

The bill (S. 246) to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WATKINS. Mr. President, by request, I object.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 1411) to provide for the general welfare by enabling the several States to make more adequate provision for the health of school children through the development of school health services for the prevention, diagnosis, and treatment of physical and mental defects and conditions was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. DONNELL. Mr. President, I object.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

DISPOSITION OF CERTAIN LANDS TO MOUNT HOPE CEMETERY ASSOCIATION

The bill (H. R. 1401) relating to the disposition of certain recreational demonstration project lands by the State of Michigan to the Mount Hope Cemetery Association of Waterloo, Mich., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. O'MAHONEY. Mr. President, this bill was reported unanimously by the Committee on Interior and Insular Affairs. Several years ago the Congress enacted a law transferring 4,000 acres of land to the Michigan State Department of Conservation for the purpose of permitting it to carry on certain demonstrations. The transfer was made with the provision that if the land were not used for the recreational and other purposes named in the act, title should revert to the United States.

It appears that the cemetery association has a cemetery immediately adjoining a portion of this 4,000-acre tract. There is a 10-acre lot which is desired by the cemetery association. The Michigan State Department of Conservation is willing to convey it. The only question is whether the use of this land for purposes of a cemetery might be regarded as within the original grant.

The purpose of the bill is merely to grant the consent of the United States

to the transfer of these 10 acres, subject to the same conditions of reversion if the use is not made.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, one question. I understood the last statement of the Senator to be that even though the 10 acres is conveyed by the State of Michigan, it will be subject to the same reversionary rights of the Federal Government. Is that correct?

Mr. O'MAHONEY. That is correct.

Mr. MORSE. I have no trouble with this case, because it is a case of a previous conveyance. I might have had trouble with it originally, as to the original conveyance, but certainly not now, with the reversionary right of the United States protected.

Mr. FERGUSON. Mr. President, I wonder whether the Senator from Wyoming will look at the last paragraph of the bill again and see whether his last answer is correct, and whether it does not waive all reversionary interests.

Mr. O'MAHONEY. The Senator is quite right. An amendment was adopted. The last sentence is:

Any conditions providing for a reversion of title to the United States that may be contained in the conveyance of such lands by the United States to the State of Michigan are hereby released as to the lands herein authorized to be transferred.

I am sorry; I was in error in my response to the Senator.

Mr. MORSE. Reserving the right to object, I should like to ask one or two questions of the Senator from Wyoming. In the first conveyance to the State of Michigan was there any consideration on which the transfer was based?

Mr. O'MAHONEY. I am unable to answer the inquiry of the Senator. The Senator from Michigan may possibly have the information.

Mr. FERGUSON. The best information I have is that there was not. I think there was a reason for deleting the reversionary clause, the reason being that the land was to be used for burial purposes. After interments have been made, it would not be desirable to take the land back for Federal purposes. The idea was that it should be used permanently for burial purposes.

Mr. MORSE. Mr. President, that is why I raised my question. I should like to ask the Senator from Wyoming if he knows whether or not the State of Michigan will get any consideration for the conveyance of the 10 acres.

Mr. O'MAHONEY. My understanding is it will not. But I point out that if the bill be not approved, it makes no difference to the Government of the United States, because the land is already conveyed to the State of Michigan. It will hold the land in any event, if the grant is not made. The bill provides merely that consent be given for the conveyance of the 10 acres, to be used for cemetery purposes. I think the Senator's objection, on principle, does not go to this type of transaction.

Mr. MORSE. I grant that it looks very much like a de minimis case. But

I think the Senator from Wyoming knows that it is possible to lose a principle, too, by the accumulation of enough de minimis cases. The principle soon disappears. I may ask whether what we are doing here is not merely transferring to the State of Michigan whatever reversionary rights we may have, for the benefit of a private cemetery association.

Mr. O'MAHONEY. The reversion is being waived for the benefit of the cemetery association.

Mr. MORSE. Mr. President, I shall not object, although I do wish to issue a caution that where I find there is anything but a de minimis case involved, I shall object.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1401) relating to the disposition of certain recreational demonstration project lands by the State of Michigan to the Mount Hope Cemetery Association of Waterloo, Mich., which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 4, after the word "released," to insert "as to the lands herein authorized to be transferred."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE OF LANDS TO CHURNTOWN ELEMENTARY SCHOOL DISTRICT, CALIFORNIA

The bill (H. R. 164) authorizing the Secretary of the Interior to convey certain lands to the Churntown elementary-school district, California, was announced as next in order.

Mr. MORSE. Mr. President, I request an explanation.

Mr. O'MAHONEY. Mr. President, the land in the vicinity of the Shasta Dam reclamation structure in the State of California was acquired several years ago by the Bureau of Reclamation. I believe, from private sources. The Bureau of Reclamation has no use for the land. It is highly desired, however, for public-school purposes, and the effect of the bill is to transfer the title to the school district in return for a consideration to be fixed by the Secretary of the Interior, so we do not have to provide for a donation of public land, but an authorization to convey the title for a consideration to be fixed in accordance with the present valuation of the land by the Secretary of the Interior.

Mr. MORSE. Mr. President, I point out that the consideration could be 50 cents or a dollar or 1 cent. There is nothing in the proposed act anywhere, that places upon the Secretary of the Interior any obligation when fixing the fair value of the land. Again, we are dealing with a matter that is not of any great importance. But I should like to suggest to the Senator from Wyoming that he accept the following amendment:

Provided, That the school district concerned shall pay 50 percent of the appraised value of the property as determined by the United States Department of the Interior.

Mr. O'MAHONEY. I have no objection to the amendment proposed by the Senator, if consent is granted to the consideration of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE], which will be stated.

The CHIEF CLERK. On page 4, line 8, after the word "conclusive" it is proposed to strike out the period, insert a colon, and the following proviso:

Provided, That the Churntown elementary-school district of California shall pay 50 percent of the appraised value of the property as determined by the United States Department of the Interior.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ISSUANCE OF PATENT IN FEE TO THOMAS A. PICKETT

The bill (S. 392) authorizing the issuance of a patent in fee to Thomas A. Pickett, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That upon application in writing, the Secretary of the Interior is authorized and directed to issue to Thomas A. Pickett, of Berkeley, Calif., a patent in fee to the following-described allotted lands situated in the State of Montana: (1) Lots 9 and 10 of section 3, the east half of section 10, the east half of the northeast quarter, and the east half of the west half of the northeast quarter of section 15, township 2 south, range 30 east, Montana principal meridian, and (2) the southwest quarter of the southeast quarter of section 12, and the south half of the southwest quarter of section 14, township 6 south, range 31 east, Montana principal meridian.

ISSUANCE OF PATENT IN FEE TO GEORGE PETERS

The Senate proceeded to consider the bill (S. 716) authorizing the issuance of a patent in fee to George Peters, which had been reported by the Committee on Interior and Insular Affairs, with an amendment, on page 1, after line 2, to strike out:

That the Secretary of the Interior is authorized and directed to issue to George Peters, of Wyola, Mont., a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Mont.: The north half of the north half of section 29, the north half of the north half of the south half of the north half of section 29, and all of section 20, township 4 south, range 37 east, Montana principal meridian.

And insert:

That upon the filing of a written application by George Peters, Crow Indian allottee No. 1292, the Secretary of the Interior is hereby authorized to sell to a Crow Indian, under existing regulations, the homestead and other land of said George Peters, described as all of section 20; the north half of the north half; the north half of the north half of the south half of the north half of section 29, township 4 south, range 37 east, Montana principal meridian, containing

eight hundred and forty acres, the status of such land with respect to taxability to remain unchanged.

So as to make the bill read:

Be it enacted, etc., That upon the filing of a written application by George Peters, Crow Indian allottee No. 1292, the Secretary of the Interior is hereby authorized to sell to a Crow Indian, under existing regulations, the homestead and other land of said George Peters, described as all of section 20; the north half of the north half; the north half of the north half of the south half of the north half of section 29, township 4 south, range 37 east, Montana principal meridian, containing 840 acres, the status of such land with respect to taxability to remain unchanged.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so to read: "A bill authorizing the Secretary of the Interior to sell the land of George Peters under existing regulations."

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 24) favoring the suspension of deportation of certain aliens was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the concurrent resolution?

Mr. McCARRAN. Mr. President, this resolution brings to the attention of the Senate another of the deportation suspension measures. They come about by reason of the specific law enacted by Congress which provides that when the Department of Justice suspends deportation of any alien in the United States, it must come to Congress for approval. Both Houses of Congress consider the suspension cases. They come, however, largely to the Senate because the Senate has a staff that can be assigned to a study of the subject, while the House of Representatives does not have a staff sufficient to give proper study to it.

I draw to the attention of the Senate the fact that we are doing everything within our power to study the deportation suspension cases. Up to date we have held up approximately 10 percent of the names sent to us by the Department of Justice. I am not saying that 10 percent is to be regarded as a criterion. We may some day disapprove the whole list which is sent to us, or we may cut it down to 1 percent. But we do assign members of the staff of the Committee on the Judiciary to a careful study and screening of each case. When the report comes from the Department of Justice, we have demanded of the Department that they give us a detailed explanation of the reason for the suspension. If such detailed explanation meets with approval and seems to have nothing objectionable in it, we as a rule approve the suspension. If there is anything in it that seems questionable at all we hold it up.

I should like to have the Senate to understand how we deal with these cases, because they are numerous. Here are two resolutions, one following the other,

and a few moments ago we approved another resolution which went through the committee, dealing with suspension of deportations. I draw the matter to the attention of the Senate because it is of grave concern to the chairman of the Committee on the Judiciary. I say grave concern, because we find on investigation that there are thousands of these cases, and in all probability we shall be compelled to deal with somewhere in the neighborhood of 15,000 such cases during this year, which is a matter of grave concern to the whole Nation. But I wanted to explain to the Senate how we deal with them, why the cases are here, in order that the Senate may know, in the approval of these measures as they come along, that the Committee on the Judiciary is doing its very best to see to it that no alien is detained in this country, or his deportation suspended, unless there is good reason for it.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Con. Res. 24) which had been reported from the Committee on the Judiciary with an amendment on page 1, line 2, to strike out "pass" and insert "favor."

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favor the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.
A-5348029, Adamiszyn, Mary (nee Grazia Maria Mitola alias Mitale).

A-4476899, Ali, Wahed Mohamed, or Mohamed Ali or Wahed or Wohaed Ali.

A-2771648, Amezcua, Guadalupe, or Guadalupe Chavez De Samaniego.

A-6581279, Andavazo, Felix.

A-9728106, Andresen, Hans Kristian.

A-6314071, Arabanos, Georgia.

A-5007171, Arena, Francesco.

A-6712870, Avalos, Tomas, or Tomas Avalos De Urquiza.

A-6199320, Balletti, Cecelia Margaret (nee de Cruz).

A-5431512, Bardi, Massimo, or Sam Bardi.

A-4699363, Bevilacqua, Anna (nee Maldera).

A-6142598, Breslin, Pacita Blanch (nee Pacita Mercedes Blanch).

A-6240752, Bryant, Lila Rachael (nee Weingarten or Hays).

A-3874697, Burghen, Anna Maria (nee Andrews).

A-6455114, Cabrales-Flores, Rafael.

A-4374492, Cocolis, Gerassimos Demetrios.

A-6539706, Cusenza, Violet Matilde (alias Violetta Matilde Bileci).

A-9500533, Da Silva, Vincente St. Aubyn (alias Vincent Da Silva).

A-6618909, De Chaldes, Olga Encinas, or Olga Encinas or Olga Encinas De Chalez.

A-6088306, De Guzman, Manuel Fenix.

A-6088305, De Guzman, Nancy Schaefer.

A-6088309, De Guzman, Lillian Schaefer.

A-2085545, De Marquez, Josefa Aguilar (VDA) (alias Josefa Aguilar De Marquez alias Josefa Aguilar).

A-4323280, Demidovich, Mike or Michallo, or Michail Dimidovich.

A-6336480, Eney, Richard John, or Chiang Sheng Dai.

A-3644552, Ernest, Jean, or Jan Gluckman or Glicman.

A-4771499, Fantuz, Richard Joseph, or Richardo Joseph Fantuz.

A-5457910, Fung, Shiu Fine, or Shiu John Fung or Shiu John.

A-5804059, Giessler, Otto Alwin, or Otto Giessler.

A-7738794, Gonzalez, Maria Del Carmen Uribe Echevarria.

A-9539472, Gonzales, Heladio.

A-6251915, Gonzalez, Miguel.

A-6261916, Gonzalez, Ruben.

A-6666785, Gonzalez, Simon, or Simon Gonzalez-Villanueva.

A-6665517, Mendiola, Paula, or Paul Mendiola de Gonzales or Pauline Mendiola.

A-5697168, Gronwoldt, Walter George.

A-6551423, Haberer, Florentina, or Florentina Nuguid.

A-9664258, Hadjipetros, Sotirios, or Sordi or Steve Hadjipetros.

A-5020056, Haller, Gottlieb Heinrich Gustav, or Gustav Haller.

A-3565724, Hamilton, Anna (nee Buczma).

A-6172375, Hamm, Juliana Rodil.

A-2663801, Haro, Jose Ysabel Flores (alias Jose Flores).

A-4715960, Hernandez, Francisco.

A-6679233, Hernandez, Benigno.

A-6679234, Hernandez, Francisco.

A-6639350, Hernandez, Norberto Roberto (alias Norberto Hernandez alias Roberto Hernandez alias Robert Hernandez).

A-6639351, Hernandez, Roberto.

A-6382878, Holsman, Marta Hugentobler (nee Marta Hugentobler).

A-5786464, Hoon, Chan Ngon (alias Mrs. Davis Owyang).

A-2038760, Hoyer, Kurt Emil.

A-3602671, Hunt, Henry.

A-6301859, Hyatt, Lewis.

A-6045907, Ichak, Ali, or Ichak Ali.

A-5599244, Illich, Yova, or John Illich.

A-5573460, Jacob, Sandor, or Alexander Jacob or Jacobs.

A-3148155, Joeng, Soe Siong, or Su Siong Jung.

56208/196, Joyner, William Harry.

A-2086707, Karavolos, Stephanos Theodore.

A-5448558, Kennett, Eunice Lorraine (nee Hultgreen).

A-5334990, Kent, Walter.

A-3192801, Khan, Aziz.

A-5019347, Klevers, Eric Joseph, or Erich Klevers.

A-5654293, Knowlton, Jessie Marie (alias Jessie Marie Aspden, nee Lawrence).

A-2855065, Koldudovich, Vladimir Ludovico.

A-4776975, Laggan, Catherine Feeney.

A-1030731, Lazarich, Mirko.

A-5584293, Leon, Josephine (alias Josephine Leon Vicochea or Dicochea, alias Josephine Garcia).

A-6300095, Liddicoat, Harold Raymond.

A-2162658, Lombardo, Francesco.

A-5610107, Lopez, Luis, or Louis Lopez or Luis Lopez Garcia.

A-6400801, Lopez-Cabrera, Ezequiel.

A-9553892, Loucas, George Anthony (alias Georgios Antonios Loucas).

A-1598756, Madonna, Giuseppe (alias Giuseppe Clemente).

A-4555403, Magner, James Thomas.

A-4067230, Mancini, Adelio.

A-5825606, Mandel, Margaret Fanny (alias Margaret Sanders or Margaret Schoene or Margaret Barozzi).

A-5261900, Masu, John (alias Giovanni Masu).

A-5010273, De Mendoza, Marcelina Rivera.

A-6208054, Menzies, Colin John.

A-4136618, Miller, Fred, or Frederick Moller or Friedrich Karl Ernst Moller.

A-5107301, Mi-Loffe, Eric Goffe.

A-4066323, Mitola, Antonio, or Anthony Patrick Mitola.

A-3382835, Mitola, Maria Rosa, or Rose Mitola (nee Del Vecchio).

A-1274580, Monte, Caroline, or Caroline Demallos (nee Caroline Lannutti).

A-6251165, Monterrubio, Bienvenida (nee Bienvenida Vasquez Tirado).

A-4289029, Montes-Lopez, Andres, or Andres Montes.
 A-1627591, Morales, Maria de Jesus, or Mary Morales.
 A-6240784, Morden, Sarra, or Sarra Mesh.
 A-4363956, Mueller, Hans Heinrich Alfred.
 A-2862095, Mueller, John Hans, or Hans Otto Eugen Mueller or Hans Mueller.
 A-7583119, Naef, Emil Joseph.
 A-6815661, Ngai, Shun Him.
 A-6815662, Ngai, Siu Kum.
 A-2146542, O'Donnell, Francis Albert, or Frank Albert O'Donnell or "Inky".
 A-3407260, Olivieri, Anthony (Antonio) (alias Francesco Porro).
 A-6302145, Ossin, Sarah (alias Sarah Kovtun Ossin).
 A-5942218, Osterlund, Holger Torvald.
 A-4123010, Palomba, Giovanni, or Palombo (alias John Palombo).
 A-6563748, Palomino, Julian, or Julian Palomino Quinones.
 A-1886219, Parenteau, Narcisse (alias Joseph Exidas Narcisse Parenteau).
 A-6153664, Pasatiempo, Remedios Navarra.
 A-1011989, Pera, Anna.
 A-6245339, Pericharos, Christos (alias Christ Pericharos).
 A-6090963, Pick, Charles Robert.
 A-2795193, Pitsiladis, Efstratios, or Charles Peterson or Charles Pitsiladis.
 A-3176245, Porvari, Olavi Veli.
 A-4384519, Ramos, Juan Jose, or John Joe Ramos (alias Jose Aguilar).
 A-6357059, Rodriguez, Sabino, or Sabino Lozoya or Sabino Rodriguez Lozoya.
 A-3146287, Rogga, John, or John Rouga.
 A-5097023, Romej, Jan Ludwik, or John Ludwik Romej.
 A-6047568, Rost, Harry (alias Harry Hyman Rashback).
 A-2514884, Sabbe, Margaret Marie (alias Margaret Marie Rosselle or Margaret Marie Billiet).
 A-2750510, Sainz-Gutierrez, Santiago.
 A-6704617, Sallin, Catherine.
 A-5836582, Samuels, Samsena Irene.
 A-3477565, Santoro, Emilia (alias Emilia Zanone).
 A-5249171, Sarkissian, George (alias George Sarkisian, alias Hachig or Hatchig Sarkissian or Sarkisian).
 A-397443, Sharkey, Mary Jane (nee Mary Jane Ramsey).
 A-5452595, Silbert, Mary (nee Finegood).
 A-3444818, Silva, Manuel Y Cruces, or Manuel Silva.
 A-6075260, Simmons, Pearl Salud (nee Tibig).
 A-9769910, Singh, Mahadeo Javert Rampersaud.
 A-3678239, Sokolow, Sol, or Zyskind Sokolow or Sokol or Zyskind Sokolow, or Janowicz or Janowitz or Yanowicz.
 A-3930421, Spels, Stellos Napoleon, or Steve Napoleon Spels.
 A-6517996, Sporup, John Soren Nielsen, or John Nielsen.
 A-7703588, Soroosh, Gholam Hossein.
 A-4761287, Soulvie, Gertrud Mae, or Seiweh (nee French alias Schultz).
 A-3776190, Sousa, Mary Agnes.
 A-6551396, Squires, Elizabeth Oonagh (alias Elizabeth Perdue).
 A-6551397, Squires, Penelope Oonagh (alias Penelope Perdue).
 A-6261575, Stamatiades, Nefelia (nee Valasi).
 A3174351, St. Hilaire, Melvin, or Melville or Joe St. Hilaire.
 A-6277447, Taylor, Beth (alias Beth Engelsen).
 A-4491271, Thederahn, Walter Herman, or Walter Smith or Schmidt.
 A-5378679, Uusmaa, Vladimir (alias Vladimir Vel Uusmaa).
 A-7798513, Valencia, Baudello (alias Baudelica Valencia Gonzalaz).
 A-3716183, Wang, James Shu Woo, or Wang Shu Woo or James Wang.

A-6458405, Wands, Laraine Fay, or Loraine Fay Wands.
 A-3497722, Whitaker, Laura Myrtle (nee Owen).
 A-1275082, Williamson, Williamina, or Mina Williamson.
 A-4495642, Wolinsky, Abraham.
 A-6364147, Wright, Graham Patrick.
 A-6292364, Zakrzewski, Genowefa, or Genowefa Szczepanska.
 A-6292365, Zakrzewski, Jadwiga.
 A-3154916, Zannis, Christos.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 25) favoring the suspension of deportation of certain aliens was considered, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:
 A-6749936, Alcalá-Martinez, Jesus, or Jesus Martinez or Jesus Alcalá.
 A-6313380, Ayala-Serrano, Irene.
 A-6449001, Alexander, Chi Ngo, or Chen Chi Ngo.
 A-6373549, Ayala, Juan Hernandez, or Juan Ayala Hernandez (alias Dan Hancock alias M. C. Stokes).
 A-9579672, Bacich, Anton Sime.
 A-2879588, Battaglini, Quirino Gene.
 A-5652053, Bada, Sabetay.
 A-6249257, Bellios, Paraskevi Costalia.
 A-5166885, Bendfeldt, August Johannes.
 A-6326675, Berliner, Kenneth Michael (alias Kenneth Michael Hovde).
 A-3533940, Binicos, Ioannis Simeon, or John Sam Binicos.
 A-3158850, Blake, Clara, formerly Sinclair formerly Bott (nee Brewster).
 A-6745477, Bohn, Cecilia Sophia, or Cecilia Sophia Syre.
 A-6428294, Boone, Patricia B., or Patricia Imelda Boone (nee Bibby).
 A-9574254, Boonstoppel, Johannes, or John Jacob Boonstoppel.
 A-6441010, Booth, Margaret Kato Walker.
 A-5134452, Bosl, Enricko, or Henry Peter Bosl.
 A-9810588, Bruggencate, Albertus Ten.
 A-3726769, Callejas, Manuel Peldro.
 A-6754664, Changeux, Daniel Robert.
 A-5763706, Chau, Shing Leung, or Spaulding Chau.
 A-6256341, Cirincione, Maria Teresa.
 A-6256342, Cirincione, Carmela Marie.
 A-6790777, Corazza, Gilberto Leo (alias Gilberto Corazza or Corazza or Gilbert Lee Corazza).
 A-6092372, Cortes, Caroline Napoleon, formerly Caroline Napoleon Denard.
 A-1370087, Costas, Juan Antonio Lopez, or Juan Lopez Costas or Juan Lopez.
 A-6172681, Cotsonis, Potoula George, or Potoula Laloussis.
 A-4851448, D'Agostino, Arcangelo, or Angelo D'Agostino.
 A-6218566, Dantes, John, or Ioannes Yusel Dantes.
 A-7589086, Davis, John Champneys.
 A-6371776, Derro, Giovanna (nee Totino).
 A-6391245, D'Orsogna, Marcello.
 A-6427491, Estridge, Edward Nathaniel.
 A-3442924, Farese, Biagio.
 A-4135957, Faustini, Sebastiani, or Benny or Beniamino Faustino.
 A-4173534, Fook, Ling Bing, or Bing Fook Ling.
 A-6075351, Francisco, Rogelio Chumbeque.
 A-9770636, Furman, Franciszek Felix, or Franciszek Furman or Frank Furman.
 A-9659926, Galanos, Nicolaos.
 A-5929794, George, Eileen.
 A-4669615, Gessner, Friedrich Albert Heinrich Robert, or Fred Horn.

A-5146721, Glick, Dorothy, or Dorothy Bloom or Debora Blimbaum.
 A-3323609, Goffredo, Pantaleo, or Leo Goffredo.
 A-7653000, Goldstein, Katherine Doris (nee Katherine Doris Victorson).
 A-6517959, Gunther, Esperanza Eroles (nee Esperanza Eroles).
 A-7592298, Hansen, Marjorie McGuire.
 A-1074698, Helloo, Vartanoush (nee Markarian Rose or Vartanoush Krikorian).
 A-6040369, Hodge, Lawrence.
 A-6024985, Hodge, Maude Iola.
 A-5878163, Hsueh, Wei Fan (alias Wilfred Hsueh).
 A-6590350, Huggins, Frederick Oscar.
 A-4833110, Hantwarg, Rubin or Huntverg or Reubin Hunter or Robert Miller.
 A-2698572, Ionno, Pellegrino.
 A-6428323, Jacobs, Margaret Genevieve (nee Bibby alias Genevieve Jacobs).
 A-4301234, Jaeger, George Friedrich Willy (alias George Waldo).
 A-6249467, Jarrin, Fanny Lucila or Mosquera.
 A-6060836, Jarrin, Nelson Anibal, M. D.
 A-6291689, Jarrold, James Michael.
 A-5922766, Kellgren, Adam.
 A-6755482, Kerketztes, Ioannis, or Joannis Stillanos or John S. Kerkentzes.
 A-4699864, Klapprat, Robert, or Klapprat or Klappert or Kappert.
 A-7558796, Klasson, Joanna Elizabeth.
 A-9775542, Kritikos, Ioannis Stavros (alias John Steve Kritikos).
 A-5946937, Kuzemka, Nikolaj or Nikolaj or Nick Kuzemka or Joseph Meski.
 A-6530599, Kuzninska, Jacek Richard.
 A-6277981, Kyriazis, Christ Constantine.
 A-6414794, Lamer, Mirko.
 A-6251150, Lamer, Leonore.
 A-6281356, Lara-Medrano, Jose.
 A-7686310, Larson, Alice Mary Margaret (nee Seyer).
 A-5234163, Laufer, Edith (nee Luberoff).
 A-5886897, Leer, Cornelius.
 A-2794013, Lemanis, Konstantine George, or Costas Lemanis.
 A-6526015, Leni, Nunziata.
 A-4882931, Leshley, William Alexander.
 A-6633954, Leung, Vicente.
 A-6300096, Liddicoat, Doreen Violet.
 A-4441129, Lundsteen, Ernest Hubert.
 A-3837986, Lyons, Thomas Joseph.
 A-4535362, Madsen, Charles Marinus.
 A-5668197, Majka, Jan or John Majka.
 A-4940423, Majka, Katarzyna Rose (nee Banek).
 A-6810821, Maldonado, Petra, or Petra Maldonado de Montes.
 A-4947209, Mancusi, Mario, or Mike Mancusi.
 A-6075160, Martin, Gladys Constance.
 A-6108461, Medina, Jose Julio Juill Renteria, or Luis Medina Renteria or Jose Luis Renteria Medina.
 A-5765526, Melanoff, Rose or Loza (nee Vassiloff or Vassideva).
 A-6245144, Mobille, Catherine Z., or Catherine Vomvila or Aitkermis Mombilin.
 A-3691575, Mohamed, Dost, or Johnnie Mohamed.
 A-9552718, Monterroso, Herman, or Herman Monterrossa.
 A-1858603, Morze, Charity Alma, or Charity Alma Fifield.
 A-3640890, Mulken, Joseph or Mulkerinus.
 A-1231306, Napoli, Antonio.
 A-9701787, Olsen, Ingolf.
 A-9550196, Olsen, Rolf.
 A-6624314, O'Neal, Etienne Emerson.
 A-6239403, Paille, Jack Jean Paul, or Jack Paille.
 A-1029502, Perel, Nechemia, or Norman Earnest Pearl.
 A-5105586, Petibon, Yves, or Maurice Petibon.
 A-6701961, Pfeifer, Karoline Maria (alias Karoline Mary Pfeifer).
 A-6594725, Papandreopoulos, Elias Polyhios.

A-7041843, Pun, Chin Yuen, or Chin Yuen Pon, Pon Yuen Chinn.
 A-6300094, Rankin, Jillian Kay.
 A-6252336, Renteria, Manuel, or Manuel Renteria Portilla.
 A-5712529, Reynolds, Henrietta Pauline (nee Adams).
 A-7010074, Richter, Rolf Hans.
 A-7010073, Richter, Lucie Gertrud, or Gertrud Lucie Richter.
 A-6650790, Robertson, Clifford James Charles.
 A-7528781, Roehmann, Dagobert (alias Dagobert Waldow).
 56169/182, Ruello, Antonio.
 A-4005355, Samad, Iris Daphne (nee Vanputten).
 A-6125773, Sanchez-Barcenas, Jose Inez (alias Inez Sanchez-Barcenas).
 A-6077519, Schaefer, Adelaida Santos.
 A-6077574, Schaefer, Jr., John Santos.
 A-4984498, Sartuche, Bertha Reyes (alias Bertha Sanchez Sartuche alias Bertha Reyes alias Bertha Sanchez).
 A-1707593, Sauter, Anna, or Anna Manderseidht or Anna Jetter.
 56112/24, Scordilis, Panagiotis Stylianos.
 A-2298613, Seiter, Christian Joseph, or Chris or Christ Seiter.
 A-6633431, Serrano-Berrera, Jose Mauricio.
 A-1384811, Simon, Malvina E. (nee Abraham, alias Malvina Ester Besch, alias Malvina Schwartz and Malvina Eisenbach).
 A-2700886, Skuza, Frank, or Franciszek Skuza.
 A-1545593, Spencer, Charles Joseph.
 A-7001121, Spencer, Mildred Vivian Margaret.
 A-5139588, Stankiewicz, Josef, or Joseph Stank.
 A-6233624, Stevenson, Walter George.
 A-6239754, Stolz, Chen Li Ying (nee Chen Li Ying).
 A-6345672, Stoyas, Athena, or Athena Moonos or Athena Papanghelidau.
 A-7791546, Stroud (de), Maria Voltas.
 A-6494368, Tedesco, Saviour.
 A-6296116, Thomasson, Ivan Samuel.
 A-5593901, Tietge, Paul (alias Paul Klein).
 A-5629597, Trapani, Gaetano.
 A-6357984, Tratarou, Pantelis, John.
 A-6350818, Tratarou, Athenoula.
 A-3073862, Traynor, Harry Joseph.
 A-6692815, Trilling, Erin, or Erin Shikallof.
 A-3428895, Tuerk, Arthur Erdmann.
 A-6020295, Turnbull, Idalia Constancia "Dally."
 A-1164142, Tye, Ong Hee.
 A-4973977, Valliant, John Peden.
 A-6709145, Vanskike, Verla Cora, formerly Strickland (nee Thomas).
 A-6754859, Vanskike, Lois Isable Gladys, formerly Strickland.
 A-6755531, Vanskike, Allan Robert, formerly Strickland.
 A-5870852, Vanterpool, Viola Anastacia, or Viola Anastacia Fahir or Viola Anastacia Foy.
 A-2830324, Vasillos, Christos.
 A-4036671, Vassura, Anthony or Antonio.
 A-3182536, Vassura, Josephine (nee Girolimini).
 A-6007554, Vieira, Joao.
 A-5546430, Villanova, Manuel (alias Manuel Villanova Dominguez or Manuel Ribas).
 A-4328843, Vogt, Gustav (alias Augusta Conrad alias Paul G. Leonard).
 A-2632561, Wang, Mabel Chih-Lan Chen, or Mabel Gee Lan Chan.
 A-5748097, Werner, Margaret (nee Carmichael), or Mrs. Howard Charles Werner.
 A-5100607, Wexelman, Sarah, or Sarah Dvora Wexelman.
 A-7022757, Wexelman, Mortimer.
 A-6433846, Wiesner, Lucille M. (nee Bibby).
 A-2454595, Wing, Edward Yee; Yee On Woon.
 A-6720886, Yankopoulos, Alexander Anastasiou.

CLAIMS OF J. N. JONES AND OTHERS

The bill (S. 146) conferring jurisdiction upon the United States District Court for the District of Oregon to hear, determine, and render judgment upon the claims of J. N. Jones, and others, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of United States district courts to hear, determine, and render judgment on tort claims against the United States which accrue prior to January 1, 1945, jurisdiction is hereby conferred upon the United States District Court for the District of Oregon to hear, determine, and render judgment upon the claims of the following-named persons, all of Malheur County, Oreg., against the United States for damages incurred by them when their properties were flooded as the result of a break on May 7, 1942, in the reservoir gates which controlled the flow of water into canals of the Vale-Oregon Irrigation district; the projects in such district being then under the exclusive control of the United States: (1) J. N. Jones; (2) May Delsole, successor in interest and heir at law of L. P. Delsole; (3) Anna Curry, administratrix of the estate of Fred Curry; (4) John U. Hoffman; (5) Orrin Curry; (6) Tom Joyce; (7) W. W. Seaward; (8) Gilbert Masterson; (9) Drexell Williams; (10) John Joyce and Kate Joyce; and (11) Mary Robertson, successor in interest and heir at law of W. A. Robertson.

Sec. 2. In the determination of such claims, the United States shall be held liable for damages, and for any negligent or wrongful acts or omissions of any of its officers or employees, to the same extent as if the United States were a private person in accordance with the law of the place where the acts or omissions occurred.

Sec. 3. Suit upon such claims may be instituted by or on behalf of the claimants listed in section 1 at any time within 1 year after the date of enactment of this act. Proceedings for the determination of such claims and review thereof, and payment of any judgments thereon, shall be had as in the case of claims over which such court has jurisdiction under the Federal Tort Claims Act.

H. LAWRENCE HULL

The bill (S. 147) for the relief of H. Lawrence Hull was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. Lawrence Hull, of Newport, Oreg., the sum of \$551.66, in full settlement of all claims against the United States on account of property damages sustained by him when a United States Army vehicle struck and destroyed two gasoline pumps owned by him on December 2, 1943, at Newport, Oreg.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JAMES A. STAPLETON, RUTH BURK, AND MILDRED OVREN

The bill (S. 195) for the relief of James A. Stapleton, Ruth Burk, and Mildred

Ovren, copartners doing business under the name and style of Stapleton Lumber & Piling Co., was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. MCCARRAN. Will the Senator kindly withhold his objection until we can have House bill 1113 substituted for Senate bill 195.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 1113?

There being no objection, the Senate proceeded to consider the bill (H. R. 1113) for the relief of James A. Stapleton, Ruth Burk, and Mildred Ovren, copartners doing business under the name and style of Stapleton Lumber & Piling Co.

Mr. MCCARRAN. Mr. President, at the time of renegotiation of contract between this company and the office of the division engineer, price adjustment division, a refund of \$28,000 was proposed which was accepted by the contractor. Upon review, this settlement was criticized as unduly severe by the Chief of the Settlements Section, Army Price Adjustment Board. The settlement could not be set aside because of the statutory provision making such an agreement final and conclusive. The Department of Justice, in a letter dated August 23, 1948, states:

In view of the fact that the renegotiation agreement referred to was entered into in the formative stages of enforcement of the Renegotiation Act, it would appear that the claimant company suffered an injustice in the consideration of its case and was not accorded the same treatment which other contractors similarly situated subsequently received. In the light of the unusual circumstances of the case, it does not appear that the proposed relief would establish a precedent which might adversely affect existing collection policy in renegotiation matters.

Mr. HENDRICKSON. Mr. President, I have no objection.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 195 is indefinitely postponed.

STONE & COOPER COAL CO., INC.

The bill (S. 227) for the relief of Stone & Cooper Coal Co., Inc., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,289.59, to Stone & Cooper Coal Co., Inc., of Augusta, Maine, in full settlement of all claims against the United States for reimbursement of transportation cost in excess of normal rates of transportation prevailing prior to January 1, 1942, on coal received on and after May 18, 1942, to June 1, 1944, in and around New York Harbor area and in New England, which period was not included in the regulations of the Office of Price Administration on bituminous coal

from district No. 3 in northern West Virginia: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

RELIEF OF CERTAIN EMPLOYEES OF THE VETERANS' ADMINISTRATION

The bill (S. 683) to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the employees responsible for the excess or erroneous payments represented by the sums herein stated be, and they are hereby, relieved of financial liability therefor and the Comptroller General is authorized and directed to take action to grant the said relief: *Provided*, That this act shall not be construed to bar recovery of the amounts herein specified from the persons to whom and through whom such amounts have been paid:

First. H. H. Milks, certifying officer at Veterans' Administration, Washington, D. C., in the sum of \$19.36, which amount was expended in August 1944, under symbol 11559.

Second. G. O. Haynes, certifying officer at Veterans' Administration, Washington, D. C., in the sum of \$7.58, which amount was expended in September 1943, under symbol 11559.

Third. M. Meyers, certifying officer at Veterans' Administration, Washington, D. C., in the sum of \$10.50, which amount was expended in January 1943, under symbol 11561.

Fourth. H. L. McCoy, certifying officer at Veterans' Administration, Washington, D. C., in the sum of \$5.27, which amount was expended in October 1944, under symbol 100-3225.

Fifth. D. M. Wolfe, certifying officer at Veterans' Administration, Washington, D. C., in the sum of \$20.47, which amount was expended in February 1946, under symbol 200-3225.

Sixth. C. J. Reichert, certifying officer at Veterans' Administration, New York branch of central office, in the sum of \$98.39, which amount was expended from January 1 through October 31, 1943, under symbol 11564.

Seventh. M. E. Head, certifying officer at Veterans' Administration, Lyons, N. J., in the sum of \$32.25, which amount was expended in September 1942, under symbol 11564.

Eighth. John H. Ale, certifying officer at Veterans' Administration, Dayton, Ohio, in the sum of \$26.56, which amount was expended in November 1943 and September 1944, under symbols 11568 and 104-3225.

Ninth. Eugene H. Dibble, Jr., certifying officer at Veterans' Administration, Tuskegee, Ala., in the sum of \$51.64, which amount was expended from June 1 through August 31, 1942, and in June 1943, under symbol 11569.

Tenth. R. D. Beer, certifying officer at Veterans' Administration, Hines, Ill., in the sum of \$14.37, which amount was expended in December 1943, under symbol 11571.

Eleventh. Guy F. Palmer, certifying officer at Veterans' Administration, Dearborn, Mich., in the sum of \$53.48, which amount was expended in May 1942, October 1942, and July 1943, under symbol 11571.

Twelfth. W. A. Birmingham, certifying officer at Veterans' Administration, Batavia, N. Y., in the sum of \$56.50, which amount was expended from April 1 through July 31, 1942, under symbol 11564.

MICKEY BAINE

The bill (S. 948) for the relief of Mickey Baine was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mickey Baine, of Nashville, Tenn., the sum of \$4,500, in full satisfaction of his claim against the United States (1) for compensation for personal injuries, property damage, and loss of earnings suffered by him, and (2) for reimbursement of medical and hospital expenses incurred by him as a result of an automobile accident which occurred in 1943 in Nashville, Tenn., when his automobile was struck by a United States Army vehicle: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

AMENDMENT TO SECTION 2680 OF TITLE 28, UNITED STATES CODE

The bill (S. 1168) to amend section 2680 of title 28, United States Code, was announced as next in order.

Mr. SCHOEPEL. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, the definition of "Federal agency" in the Federal Tort Claims Act was so broad as to include the Panama Railroad Company, a company which was originally incorporated by an act of the Legislature of the State of New York in 1849, and reincorporated by Public Law 808 of the Eightieth Congress, as "an agency and instrumentality of the United States, and as an adjunct of the Panama Canal."

The varied activities of the company, which include the operation of a railroad across the Isthmus of Panama with terminals in the Republic of Panama, the operation of a steamship line between the Isthmus and American ports, the operation of hotels and commissary stores, and the operation of related commercial enterprises, are not those to which the principle of governmental immunity to suit should be applied. The company has long been registered as a foreign corporation in Panama and has designated agents in Panama to receive service of process in suits brought against it in the courts of the Republic of Panama.

Mr. SCHOEPEL. Mr. President, I have no objection.

There being no objection, the bill (S. 1168) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2680 of title 28, United States Code, is amended by adding at the end thereof the following new subparagraph:

"(m) Any claim arising from the activities of the Panama Railroad Company."

REIMBURSEMENT FOR LOSSES SUSTAINED FROM FLOOD

The bill (H. R. 555) conferring jurisdiction upon the District Court of the United States for the Northern District

of California, Northern Division, to hear, determine, and render judgment upon the claims of all persons for reimbursement for damages and losses sustained as a result of a flood which occurred in December 1937 in levee district No. 10, Yuba County, Calif., was considered, ordered to a third reading, read the third time, and passed.

SYLVIA M. MISETICH

The bill (H. R. 572) for the relief of Sylvia M. Misetich was considered, ordered to a third reading, read the third time, and passed.

ARTHUR G. ROBINSON

The bill (H. R. 576) for the relief of Arthur G. Robinson was considered, ordered to a third reading, read the third time, and passed.

CLAIMS OF HILDA LINKS, E. J. OHMAN, AND FRED L. KROESING

The bill (H. R. 581) to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska, was considered, ordered to a third reading, read the third time, and passed.

MRS. LUCILLE DAVIDSON

The bill (H. R. 591) for the relief of Mrs. Lucille Davidson was considered, ordered to a third reading, read the third time, and passed.

JAMES W. KEITH

The bill (H. R. 592) for the relief of James W. Keith was considered, ordered to a third reading, read the third time, and passed.

EUGENE J. BEARMAN

The bill (H. R. 618) for the relief of Eugene J. Bearman was considered, ordered to a third reading, read the third time, and passed.

ELIZABETH B. MURPHY

The bill (H. R. 659) for the relief of Mrs. Elizabeth B. Murphy was considered, ordered to a third reading, read the third time, and passed.

JOHN J. O'NEIL

The bill (H. R. 729) for the relief of John J. O'Neil was considered, ordered to a third reading, read the third time, and passed.

MARY JANE HARRIS

The bill (H. R. 739) for the relief of Mary Jane Harris was considered, ordered to a third reading, read the third time, and passed.

B. JOHN HANSON

The bill (H. R. 745) for the relief of B. John Hanson was considered, ordered to a third reading, read the third time, and passed.

R. C. OWEN, R. C. OWEN, JR., AND ROY OWEN

The bill (H. R. 1036) for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen was announced as next in order.

Mr. FERGUSON. Mr. President, I should like to have an explanation of the

bill, particularly in the light of the objection made by the Secretary of the Treasury, on page 4 of the report.

Mr. McCARRAN. Mr. President, by way of explanation, the position taken by the Treasury Department is somewhat mystifying to the committee, in view of the fact that in the Eighty-first Congress the Department sought and obtained introduction of a bill, Senate bill 196, for the relief of one of its own employees who was responsible for the total loss of a far more substantial number of internal-revenue stamps under circumstances which at least raised the question of gross negligence, aside from the fact that none of the missing stamps were ever recovered, nor was there more than a reasonable hypothesis on which to base an explanation of their disappearance. The claimants in this case, through no fault or negligence on their part, have suffered an out-of-pocket loss which is definitely determinable, and the Government has correspondingly been unjustly enriched.

Mr. FERGUSON. I have no objection. There being no objection, the bill (H. R. 1036) for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen was considered, ordered to a third reading, read the third time, and passed.

FIRST DEFICIENCY APPROPRIATION, 1949

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the morning hour is terminated, and the Chair lays before the Senate the unfinished business, which is the first deficiency appropriation bill.

Mr. McCARRAN. Mr. President, would there be any objection to continuing to completion the call of the calendar?

The PRESIDING OFFICER. Does the Senator from Nevada ask unanimous consent that that be done?

Mr. McCARRAN. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. McKELLAR. Mr. President, I shall not object, unless it will take too long. I am sure the Senator from Nevada wants the Senate to get to the consideration of the deficiency appropriation bill, in which every Senator is interested.

Mr. CHAVEZ. Mr. President, I hope the Senator from Tennessee will agree to the unanimous-consent request.

The PRESIDING OFFICER. Without objection, the unanimous-consent request is agreed to, and the clerk will continue the call of the calendar.

Mr. WHERRY. Mr. President, does the agreement provide that we shall proceed to a conclusion of the call of the calendar, with no time limitation?

The PRESIDING OFFICER. The request was that the call be continued, and no objection was raised.

Mr. WHERRY. Just what is the order?

The PRESIDING OFFICER. That the call of the calendar shall be continued.

Mr. McCARRAN. That we may proceed to the conclusion of the calendar.

The PRESIDING OFFICER. The clerk will state the next order of business on the calendar.

MRS. WESLEY BERK

The bill (H. R. 1043) for the relief of Mrs. Wesley Berk (formerly Mrs. Ruth Cameron) was considered, ordered to a third reading, read the third time, and passed.

BERNICE GREEN

The bill (H. R. 1061) for the relief of Bernice Green was considered, ordered to a third reading, read the third time, and passed.

JAMES LEON KEATON

The bill (H. R. 1066) for the relief of James Leon Keaton was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF THE COUNTY OF ALLEGHENY, PA.

The bill (H. R. 1959) for the relief of the county of Allegheny, Pa., was announced as next in order.

Mr. HENDRICKSON. Mr. President, may we have an explanation of this bill?

Mr. McCARRAN. Mr. President, the purpose of the proposed legislation is to pay the sum of \$29,147.50 to Allegheny County, Pa., in full settlement of all claims against the United States for damages sustained by a fire which completely destroyed a building known as "Agricultural Hall," located in South Park, Allegheny County, Pa., on February 16, 1944, while being occupied and used by and exclusively under the control of the War Department.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. HENDRICKSON. I have no objection.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF THE LEGAL GUARDIAN OF JOSEPH DE SOUZA, JR.

The bill (H. R. 2708) for the relief of the legal guardian of Joseph De Souza, Jr., was considered, ordered to a third reading, read the third time, and passed.

FEES, EXPENSES, AND COSTS OF JURORS

The Senate proceeded to consider the bill (S. 635) to increase the fees of witnesses in the United States Courts and before United States Commissioners, and for other purposes, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "witness", to strike out "attending", and insert "attending", so as to make the bill read:

Be it enacted, etc., That section 1821 of title 28, United States Code, is hereby amended to read as follows:

"Sec. 1821. Per diem and mileage generally; subsistence. A witness attending in any court of the United States or before a United States commissioner or person taking his deposition pursuant to any order of a court of the United States, shall receive \$4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 7 cents per mile for going from and returning to his place of residence. Witnesses who are not salaried employees of the Government and who are not in custody and who attend at points so far removed from their respective residence as to prohibit return thereto from day to day shall be entitled to an additional allowance of \$5 per day for expenses of subsistence

including the time necessarily occupied in going to and returning from the place of attendance: *Provided*, That in lieu of the mileage allowance provided for herein, witnesses who are required to travel between the Territories, possessions, or to and from the continental United States, shall be entitled to the actual expenses of travel at the lowest first-class rate available at the time of reservation for passage, by means of transportation employed: *Provided further*, That this section shall not apply to Alaska."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEES, EXPENSES AND COSTS OF JURORS

The Senate proceeded to consider the bill (S. 1042) relating to the payment of fees, expenses, and costs of jurors, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 11, to strike out "\$4", and insert "\$5", so as to make the bill read:

Be it enacted, etc., That the second, third, and fourth paragraphs of section 1871 of title 28 of the United States Code, entitled "Judiciary and Judicial Procedures," are hereby amended to read as follows:

"For actual attendance at the place of trial or hearing and for the time necessarily occupied in going to and from such place at the beginning and end of such service or at any time during the same, \$7 per day, except that any juror required to attend more than 30 days in hearing one case may be paid in the discretion and upon the certification of the trial judge a per diem fee not exceeding \$10 for each day in excess of 30 days he is required to hear such case.

"For the distance necessarily traveled to and from a juror's residence by the shortest practicable route in going to and returning from the place of service at the beginning and at the end of the term of service and for all additional necessary daily transportation expense, 7 cents per mile, except that if daily travel appears impracticable, subsistence of \$5 per day shall be allowed. Whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the United States marshal upon the order of the court in lieu of the foregoing subsistence allowance.

"Jury fees and travel and subsistence allowances provided by this section shall be paid by the United States marshal on the certificate of the clerk of the court, and in the case of jury fees in excess of \$7 per diem, when allowed as hereinabove provided, on the certificate of the trial judge."

Sec. 2. The act entitled "An act relating to the payment of fees, expenses, and costs of jurors," approved June 25, 1948 (ch. 652, 62 Stat. 1016), is hereby repealed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAURA SPINNICHIA

The Senate proceeded to consider the bill (H. R. 652) for the relief of Laura Spinnichia, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 11, before the word "Hall", to strike out "McDonald" and insert "MacDonough."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RELIEF OF THE LEGAL GUARDIAN OF ROSE MARY AMMIRATO, A MINOR

The Senate proceeded to consider the bill (H. R. 1501) for the relief of the legal guardian of Rose Mary Ammirato, a minor, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 9, to insert a new section as follows:

SEC. 2. Private Law 447, Eightieth Congress, is hereby repealed.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CLAIM OF MRS. FLORENCE BENOLKEN

The Senate proceeded to consider the bill (S. 189) conferring jurisdiction upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon the claim of Mrs. Florence Benolken, which had been reported by the Committee on the Judiciary with amendments, on page 1, line 6, after the words "compensation for" to insert "any and all;" and on line 8, before the word "advised", to strike out the word "erroneously", so as to make the bill read:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon the claim of Mrs. Florence Benolken, of Omaha, Nebr., for compensation for any and all losses sustained by her as a result of having been advised by representatives of the War Department that she was not entitled to have her household goods shipped at Government expense from Seattle, Wash., to Omaha, Nebr., subsequent to the death in October 1942, of her husband, Lt. Francis John Benolken, while serving on active duty in the Army of the United States.

SEC. 2. In the determination of such claims, the United States shall be held liable for damages, and for any negligent or wrongful acts or omissions of any of its officers or employees, to the same extent as if the United States were a private person in accordance with the law of the place where the acts or omissions occurred.

SEC. 3. Notwithstanding any statute of limitations or lapse of time, suit upon such claim may be instituted by the claimant within 1 year after the date of enactment of this act. Proceedings for the determination of such claim and review thereof, and payment of any judgment thereon, shall be had as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentyeth" of section 24 of the Judicial Code, as amended.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BADGE OF THE AMERICAN LEGION

The bill (S. 646) granting a renewal of patent No. 54,296, relating to the badge of the American Legion, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date of December 9, 1919, being patent No. 54,296, is hereby renewed and extended for a period of 14 years from and after the date of approval of this act, with

all the rights and privileges pertaining to the same, being generally known as "the badge of the American Legion."

BADGE OF THE AMERICAN LEGION AUXILIARY

The bill (S. 647) granting a renewal of patent No. 55,398, relating to the badge of the American Legion Auxiliary, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date of June 1, 1920, being patent No. 55,398, is hereby renewed and extended for a period of 14 years from and after the date of approval of this act, with all the rights and privileges pertaining to the same, being generally known as "the badge of the American Legion Auxiliary."

BADGE OF THE SONS OF THE AMERICAN LEGION

The bill (S. 676) granting a renewal of patent No. 92,187, relating to the badge of the Sons of the American Legion, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date of May 8, 1934, being patent No. 92,187, is hereby renewed and extended for a period of 14 years from and after the date of approval of this act, with all the rights and privileges pertaining to the same, being generally known as "the badge of The Sons of The American Legion."

BILL PASSED OVER

The bill (S. 734) to provide for the appointment and compensation of counsel for impoverished dependents in certain criminal cases in the United States district courts, was announced as next in order.

MR. GEORGE. Mr. President, at the request of my colleague, the junior Senator from Georgia [Mr. RUSSELL], I ask that this bill go over.

THE PRESIDING OFFICER. On objection of the Senator from Georgia, the bill will be passed over.

ESTABLISHMENT OF GRADE OF GENERAL OF THE AIR FORCE

The Senate proceeded to consider the bill (S. 796) to establish the grade of General of the Air Force, and for other purposes, which has been reported from the Committee on Armed Services with an amendment, on page 1, line 9, after the word "herewith" to strike out "designated" and insert "redesignated", so as to make the bill read:

Be it enacted, etc., That there is hereby established in the United States Air Force the grade of General of the Air Force.

SEC. 2. The grade of any individual transferred in the grade of general of the Army from the Regular Army to the United States Air Force, pursuant to the National Security Act of 1947 (act of July 26, 1947; 61 Stat. 695), is herewith redesignated "General of the Air Force."

SEC. 3. Nothing herein shall be construed as appointing any individual to a new or different office or to alter or prejudice the status of any individual concerned so as to deprive him of any pay or allowances, rights, benefits, or privileges to which he may be entitled under existing law.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPOINTMENT OF OFFICERS ON THE ACTIVE LIST OF THE PHILIPPINE SCOUTS IN THE REGULAR ARMY

The Senate proceeded to consider the bill (S. 1181) to authorize the appointment of officers on the active list of the Philippine Scouts in the Regular Army, and for other purposes, which had been reported from the Committee on Armed Services with an amendment, on page 1, line 9, after the date "1933" to insert "and who are or become citizens of the United States prior to appointment hereunder", so as to make the bill read:

Be it enacted, etc., That until a date 1 year following the date of enactment of this act, and within the authorized active list commissioned officer strength of the Regular Army, the President, by and with the advice and consent of the Senate, is authorized to appoint officers on the active list of the Philippine Scouts, who were appointed therein prior to June 30, 1933, and who are or become citizens of the United States prior to appointment hereunder, in the Regular Army in the same commissioned officer grades as are held by such officers in the Philippine Scouts at the time of appointment.

SEC. 2. The names of officers so appointed shall be entered on the Army promotion list in their permanent grades, precedence within grades being fixed in accordance with their relative permanent grade seniority among themselves and among Army promotion-list officers at the time of appointment.

SEC. 3. All active Federal service performed as commissioned officers of the Philippine Scouts by officers appointed under this act shall be creditable as active commissioned service as officers of the Regular Army for all purposes: *Provided*, That their positions on the promotion list shall be determined as provided in section 2 hereof.

SEC. 4. The acceptance of appointments in the Regular Army under this act shall operate to vacate the military status in the Philippine Scouts theretofore occupied by each of the appointees.

MR. SCHOEPPPEL. Mr. President, may we have an explanation of the bill?

MR. GURNEY. Mr. President, this bill puts back into the Regular Army of the United States those officers who had previously been on assigned duty to the Philippine Scouts, who are no longer an organization of the United States. It retains for them the benefits they would have had, and keeps them on active duty in our forces, because they can no longer be assigned to the Philippine Army.

MR. SCHOEPPPEL. I have no objection.

THE PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACQUISITION OR CONSTRUCTION OF STRUCTURES, EQUIPMENT, AND IM- PROVEMENTS IN THE CANAL ZONE

The bill (S. 1136) to amend the Canal Zone Code, and for other purposes, was announced as next in order.

MR. HENDRICKSON. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. GURNEY. Mr. President, the report states the reason for the enactment of the bill. It provides for a recodification of the present laws. I do not believe there is anything of great importance in the bill. It was explained to our committee as a recodification of the laws. It grants no additional authority.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title 2 of the Canal Zone Code is amended by adding in chapter 1 thereof three new sections numbered 16 to 18, and reading as follows:

"16. Acquisition or construction of structures, equipment, and improvements: The Governor of the Panama Canal is authorized, within the limits of available funds, to purchase or otherwise acquire equipment, and within the Canal Zone to purchase or otherwise acquire, construct, repair, replace, alter, or enlarge any building, structure, or other improvement, when in his judgment such action is necessary for the operation, maintenance, sanitation, or civil government of the Panama Canal or Canal Zone.

"17. Claims for losses of or damages to property: Authority is hereby conferred upon the Governor of the Panama Canal, or his designee for the purpose, to consider, adjust, determine, and settle claims for losses of or damages to property arising from the conduct by the Panama Canal of authorized business operations, or arising from the maintenance, operation, improvement, or enlargement of capacity of the Panama Canal or from the sanitation or civil government of the Canal Zone: *Provided, however,* That this section shall not apply to claims cognizable either under section 10 of this title, as amended, or under the Federal Tort Claims Act.

"Any award made to any claimant pursuant to this section shall be payable out of any moneys appropriated or made available for the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone; and the acceptance by the claimant of any such award shall be final and conclusive on the claimant, and shall constitute a complete release by the claimant of such claim against the United States.

"18. Disaster relief: In the event of emergency arising because of disaster or calamity by flood, hurricane, earthquake, fire, pestilence, or like cause, not foreseen or otherwise provided for, and occurring in the Canal Zone, or occurring in the Republic of Panama in such circumstances as to constitute an actual or potential hazard to health, safety, security, or property in the Canal Zone, the Governor of the Panama Canal is authorized to expend available funds and to utilize or furnish materials, supplies, equipment, and services for relief, assistance, and protection."

Sec. 2. Chapter 4 of title 2, Canal Zone Code, which chapter is now entitled "Business Operations" and consists of sections 51 and 52 of said title 2, is amended to read as follows:

"CHAPTER 4—BUSINESS OPERATIONS; SALES AND SERVICES

"Sec.

"51. Authorization for establishment and operation of various facilities.

"52. Organization and conduct of any such facilities by Panama Canal as 'business operations.'

"53. Receipts from such operations, sales, and services; expenditure and reinvestment; reports.

"54. Exception of Canal Zone postal service.

"Sec. 51. Authorization for establishment and operation of various facilities: (a) In connection with the operation, maintenance, sanitation, and civil government of the Panama Canal and Canal Zone, the President is authorized to establish, maintain, and operate, through the Panama Railroad Company, or otherwise, docks, wharves, piers, drydocks, shops, yards, marine railways, salvage and towing facilities, dredging facilities, construction facilities, fuel-handling facilities, motor-transportation facilities, civil air terminals, power systems, water and sewer systems, warehouses, storehouses, hotels, a printing plant, living quarters and other buildings, and any other necessary facilities and appurtenances, for the purpose of providing, at reasonable prices, fuel, electric power, water, equipment, supplies and materials generally, repairs, labor, transportation, quarters, space in buildings, wharf and like services, hotel and restaurant services, and services generally, including recreational services, and for the purpose of assembling, assorting, storing, repairing, and selling scrap and other byproducts of manufacturing and shop operations, and materials, supplies, and equipment purchased or acquired for the construction, improvement, operation, maintenance, sanitation, or civil government of the Panama Canal or Canal Zone and which are obsolete, unserviceable, or no longer needed. The sales, services, equipment, supplies, and materials hereinbefore referred to may be made or furnished to vessels, to agencies of the Government of the United States, to the Panama Railroad Company, to employees of the Government of the United States or of the Panama Railroad Company, and to any other governments, agencies, persons, corporations, companies, or associations eligible to make or receive such purchases, services, supplies, or materials under the laws prevailing at the time and the policies heretofore or hereafter adopted consistently with such laws.

"(b) In the event the President has heretofore elected, or shall at any time hereafter elect, to maintain and operate through the Panama Railroad Company any of the facilities and appurtenances referred to in this section or section 52 of this title, theretofore maintained and operated by the Panama Canal, the President is authorized to transfer to the Panama Railroad Company all or as much as may be determined to be necessary of the personnel, property, records, related assets, contracts, obligations, and liabilities of or appertaining to the said facility and its appurtenances, and such transfer shall be deemed to have been accepted and assumed by the Panama Railroad Company without the necessity of any act or acts on the part of the said corporation except as otherwise stipulated in provisions of law applicable to the said corporation.

"52. Organization and conduct of any such facilities by Panama Canal as 'Business operations': The President may cause any or all of the facilities and appurtenances referred to in paragraph (a) or (b) of section 51 of this title to be organized and conducted by the Panama Canal as 'business operations', and in such case the aggregate net profit if any accruing from the conduct of such business operations shall annually be covered into the Treasury of the United States.

"53. Receipts from such operations, sales, and services; expenditure and reinvestment; reports: The moneys received by the Panama Canal from the operations authorized by sections 51 and 52 of this title, and from pilotage, quarantine, immigration, and like services, from rentals, from damage claims, and from any and all other sales made and services rendered, but not including tolls, taxes, court fees, or fines, may be expended or reinvested under the several heads of appropriation for the Panama Canal, without being covered into the Treasury of the United

States except as provided in section 52 of this title; but, except as otherwise provided in this section, such funds shall be subject to the provisions of law relating to public funds of the United States. Monthly reports of such receipts and expenditures shall be made to the President and annual reports shall be made to the Congress.

"54. Exception of Canal Zone Postal Service: The provisions of sections 51 to 53 of this title shall have no application to operations of the Canal Zone Postal Service."

Sec. 3. Title 2 of the Canal Zone Code is amended by adding in article 1 of chapter 6 thereof a new section numbered 85 and reading as follows:

"85. Special training of employees: The Governor of the Panama Canal is authorized, within the limits of appropriations made therefor, to provide for special training in the United States or elsewhere of any employee of the Panama Canal when in the judgment of the Governor such special training will be of material benefit to the work of the Panama Canal and the special training of such employee would be more advantageous than the hiring of other available personnel having the specialized skill or experience desired. During the period of such special training the employee may be paid his regular compensation and his travel expenses in accordance with the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended, subject to recovery by the United States of such costs or an equitable portion thereof, as determined by the Governor, in case the employee fails to complete such training or is separated from the service except for reasons beyond his control within one year following the completion of the period of training."

Sec. 4. Title 2 of the Canal Zone Code is amended by adding in article 3 of chapter 6 thereof a new section numbered 124 and reading as follows:

"124. Employees injured prior to September 7, 1916; appliances; lump-sum payments: The Governor of the Panama Canal is authorized to purchase artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or of the Panama Canal prior to September 7, 1916, and to make payments in lump sums not exceeding the amounts authorized by the act of September 7, 1916, as amended (U. S. C., title 5, ch. 15), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal."

Sec. 5. Title 6 of the Canal Zone Code is amended by adding in chapter 27 thereof a new section numbered 906 and reading as follows:

"906. Clothing and money for discharged prisoners: On the discharge of a prisoner from any penal institution in the Canal Zone such prisoner may, in the discretion of the Governor of the Panama Canal, be furnished with such suitable clothing as may be authorized by the Governor, and an amount of money not exceeding \$20."

REVISION AND CODIFICATION OF LAWS OF THE CANAL ZONE REGARDING ADMINISTRATION OF ESTATES

The bill (S. 1137) to revise and codify laws of the Canal Zone regarding the administration of estates, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title 2 of the Canal Zone Code, approved June 19, 1934 (43 Stat. 1122), is amended by adding in article 1 of chapter 6 thereof a new section No. 84, reading as follows:

"84. Payment for accumulated or accrued leave upon death: Upon the death of any

officer or employee of the Panama Canal or the Panama Railroad Company on the Isthmus of Panama, any compensation which may be payable on account of his accumulated and current accrued leave, under the conditions of employment prescribed by authority of section 81 of this title, as amended, shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries, if any, lawfully designated by the employee under the retirement act applicable to his service; and

"Second, if there be no such designated beneficiary, to the estate of such deceased employee: *Provided*, That any such payment shall be subject to the deduction, as provided in section 83 of this title, of all amounts due from the employee for supplies and services to the extent only, however, that other compensation due to the employee is insufficient for such purpose."

Sec. 2. Title 2 of the Canal Zone Code is amended by adding in chapter 9 thereof two new sections numbered 181 and 182, respectively, and reading as follows:

"181. Regulations relative to alcoholic beverages: The President is granted continuing authority to make regulations in respect to the sale and manufacture of alcoholic beverages within, and the importation thereof into and exportation thereof from, the Canal Zone, including the authority to prescribe licenses and fees for the sale and manufacture of such beverages.

"182. Violation of regulations; punishment: Any person who shall violate any provision of such regulations shall be punishable by a fine of not more than \$500, or by imprisonment in jail for not more than 6 months, or by both, and in addition the license of such person may be revoked or suspended as the President may by such regulations prescribe."

Sec. 3. Section 303 of title 2 of the Canal Zone Code is amended to read as follows:

"303. Revocable licenses covering lands outside of town sites: Whenever the Governor of the Panama Canal deems such action to be necessary to, or in the interests of, the Government of the United States and of the efficient operation, maintenance, sanitation, government, and protection of the Panama Canal and Canal Zone, the Governor is authorized, either in person or through such officer as he may designate, to issue revocable licenses covering the use of tracts of land situated outside of town sites in the Canal Zone. The terms and conditions of licenses issued under authority of this section shall be as prescribed by the Governor, except that the said licenses shall be revocable at the pleasure of the Governor and that, upon revocation of a license hereunder, the licensee shall, immediately or upon such reasonable notice as the Governor may prescribe, vacate the licensed area, remove therefrom all improvements which he may have placed upon the licensed area, and restore the licensed area to a condition satisfactory to the Governor, and shall not be entitled to indemnification for the value of such improvements; *Provided, however*, That licenses heretofore issued by authority of the Governor, and still in force, covering the use of tracts of land for agricultural purposes are ratified and confirmed in accordance with the terms and conditions applicable to them, respectively, and that upon the revocation of any of such licenses the terms and conditions applicable to which are such as to provide for compensation to the licensee in the reasonable value of the improvements made by him on said tract, to be determined in such manner as the Governor may direct, the compensation is authorized so to be determined and to be paid out of any moneys heretofore or hereafter appropriated for such purpose, except that no compensation shall be paid in the

case of any license which is revoked on account of a material breach by the licensee of the terms and conditions applicable to his license, or where the licensee shall have abandoned the license, or in case of the death of the licensee."

Sec. 4. Section 225 of title 3 of the Canal Zone Code is amended to read as follows:

"225. Continuance after original license period: The right to continue to do business for the calendar year, and the successive calendar years, after the calendar year during which the original license was issued shall be contingent upon compliance with such provisions of this chapter as are applicable to corporations licensed under this chapter, upon the payment of a license fee of \$10, payable in advance, on January 1 of each year, and upon the designation of a new process agent before March 1 if the process agent theretofore designated has ceased during a preceding calendar year to reside within the Canal Zone."

Sec. 5. Title 4 of the Canal Zone Code is amended by inserting therein a new chapter No. 27A, embracing sections 1470a to 1470f, and reading as follows:

"CHAPTER 27A—DISPOSITION OF ESTATES WITHOUT ADMINISTRATION

"Sec.

1470a. Setting aside estates not exceeding \$1,000 in value; inclusion of application in petition for probate or letters.

1470b. Same; separate petition prior to hearing of petition for probate or letters.

1470c. Same; petition after filing of inventory.

1470d. Same; notice of hearing.

1470e. Same; decree setting aside.

1470f. Same; denying petition and instead acting on petition for probate or letters.

"Sec. 1470a. Setting aside estates not exceeding \$1,000 in value; inclusion of application in petition for probate or letters: If the decedent leaves a surviving spouse or minor child or minor children, and the net value of the whole estate, over and above all liens and encumbrances of record at the date of death and not including the property excepted from administration under section 649 of title 3, does not exceed the sum of \$1,000, the person petitioning for the probate of the will or for letters of administration may add an allegation to that effect to the other allegations of the petition, with a specific description of all of the decedent's property, a list of all the liens and encumbrances of record at the date of death, and an estimate of the value of the property, and may include, in the prayer, an alternative prayer that if the court finds that the net value of the whole estate, over and above all liens and encumbrances of record at the date of death and not including the property excepted from administration under section 649 of title 3 does not exceed \$1,000, the same be set aside to the surviving spouse, if there be one, and if there be none, then to the minor child or minor children of the decedent. When such allegation is included in the petition, the petition shall be verified, and the notice of hearing shall include a statement that a prayer for setting aside the estate to the surviving spouse or minor child or minor children, as the case may be, is included in the petition.

"CROSS-REFERENCE

"Settlement by public administrator without regular administration of estates less than \$250, see section 1703 of this title, as amended.

"1470b. Same; separate petition prior to hearing of petition for probate or letters: If the person petitioning for probate of the will or for letters of administration does not include such an allegation as is provided for by the next preceding section, the surviving

spouse, if there be one, and if there be none, the guardian of the minor child or minor children, may, at any time prior to the hearing of such petition, file a verified petition setting forth the matters mentioned in the next preceding section, and pray that the estate be set aside for the use of the surviving spouse or minor child or minor children. If the hearing of the original petition is set for a day more than 10 days after the filing of the petition herein provided for, the latter shall be set for hearing at the same time as the former; if not, it shall be set for hearing at least 10 days after the date on which it is filed, and the former petition shall be continued until such date.

"1470c. Same; petition after filing of inventory: If the decedent leaves a surviving spouse or minor child or minor children, and upon the filing of the inventory of the estate it appears that the net value of the whole estate, over and above all liens and encumbrances of record at the date of death and not including the property excepted from administration under section 649 of title 3, does not exceed the sum of \$1,000, the personal representative of the decedent or the surviving spouse or the guardian of the minor child or children may file a verified petition showing the value of the estate to be no greater than as aforesaid, and the clerk shall fix a day for the hearing thereof.

"1470d. Same; notice of hearing: When a petition is filed under section 1470b or section 1470c of this title, the clerk shall give notice of the hearing for the period and in the manner required by section 1463 of this title.

"1470e. Same; decree setting aside: If, upon the hearing of any petition provided for by this chapter, the court finds that the net value of the estate, over and above all liens and encumbrances of record at the date of the death of the decedent and not including the property excepted from administration under section 649 of title 3, does not exceed the sum of \$1,000, and that the expenses of the last illness, funeral charges, and expenses of administration have been paid, it shall, by decree for that purpose, assign to the surviving spouse of the decedent, if there be a surviving spouse, or, if there be no surviving spouse, then to the minor child or children of the decedent, if any, the whole of the estate, subject to whatever mortgages, liens, or encumbrances there may be upon said estate at the time of the death of the decedent. The title thereto shall vest absolutely in the surviving spouse, if there be a surviving spouse, or if there be no surviving spouse, in the minor child or children subject to whatever mortgages, liens, or encumbrances there may be upon said estate at the time of the death of the decedent, and there must be no further proceedings in the administration, unless further estate be discovered.

"1470f. Same; denying petition and instead acting on petition for probate or letters: If the court finds that the net value of the estate exceeds \$1,000, or that there is neither a surviving spouse nor minor child, it shall act upon the petition for probate or for letters of administration in the same manner as though no petition to set aside the estate had been included, and the estate shall then be administered in the usual manner."

Sec. 6. Section 1703 of title 4 of the Canal Zone Code is amended to read as follows:

"1703. Estates less than \$250: Whenever the public administrator shall file with the clerk of the district court a statement that the value of any estate, of which he has taken charge, is less than \$250, there shall be no regular administration on such estate unless additional estate be found or discovered; and the public administrator may, after the payment of the expenses of the last illness of the deceased, and the funeral charges, pay out and deliver such estate to the surviving spouse of the decedent, if there be a surviv-

ing spouse, or, if there be no surviving spouse, then to the minor child or children of the decedent, if any, or, if there be neither a surviving spouse nor minor child, then to such creditors, heirs, or other persons as may appear in the judgment of the public administrator to be legally entitled thereto, and the title to such estate shall vest absolutely in the person or persons to whom the same is paid out and delivered as provided in this section."

SEC. 7. Title 5 of the Canal Zone Code is amended by adding in article 8 of chapter 11 thereof a new section numbered 573 and reading as follows:

"573. Regulations for fire protection; violations: The Governor of the Panama Canal is granted continuing authority to make regulations for prevention of, and protection against, fires in the Canal Zone: *Provided, however,* That no regulation made under this section shall have force or effect within the boundaries of any military or naval reservation in the Canal Zone, unless prescribed with the concurrence of the officers commanding the military and naval forces in the Canal Zone, as to the reservations within their respective jurisdictions. Any person who shall violate any of the regulations prescribed under this section shall be guilty of a misdemeanor."

SEC. 8. Title 5 of the Canal Zone Code is amended by adding in article 10 of chapter 14 thereof a new section numbered 812 and reading as follows:

"812. Injuring or tampering with motor vehicle, launch, or aircraft: Every person who, without the consent of the owner of any motor vehicle—

"(a) willfully injures or tampers with such motor vehicle or the contents thereof;

"(b) breaks or removes any part or parts of or from such motor vehicle;

"(c) climbs into or upon such motor vehicle whether it is in motion or at rest, with intent to commit any malicious mischief, or injury or other crime; or

"(d) manipulates or attempts to manipulate any of the levers, starting mechanism, brakes, or other mechanism or device of such motor vehicle while the same is at rest and unattended,

is guilty of a misdemeanor. As used in this section the term 'motor vehicle' shall mean and include any automobile, motorcycle, other motor vehicle, motorboat or launch, or aircraft."

SEC. 9. The following statutes or parts of statutes are repealed:

(a) Canal Zone Code, title 2, chapter 17, article 2, which article includes sections 331 to 333 of said title 2;

(b) Canal Zone Code, title 4, sections 1467 and 1468;

(c) The act of May 3, 1932, entitled "An act to authorize the modification of the boundary line between the Panama Canal Zone and the Republic of Panama, and for other purposes" (ch. 162, 47 Stat. 145; 48 U. S. C. 1304a to 1304c);

(d) The act of June 19, 1934, entitled "An act authorizing the President to make rules and regulations in respect to alcoholic beverages in the Canal Zone, and for other purposes" (ch. 657, 48 Stat. 1116; 48 U. S. C. 1314b to 1314d).

ENLISTED PERSONNEL EMPLOYMENT IN AVIATION TACTICAL UNITS OF THE NAVY, MARINE CORPS, AND AIR CORPS

The bill (S. 1270) to repeal that part of section 3 of the act of June 24, 1926 (44 Stat. 767), as amended, and that part of section 13a of the act of June 3, 1916 (39 Stat. 166), as amended, relating to the percentage, in time of peace, of enlisted personnel employed in aviation tactical units of the Navy, Marine Corps, and Air Corps, and for other purposes, was considered, ordered to be en-

grossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That paragraph 8 of section 3 of the act of June 24, 1926 (44 Stat. 767), as amended by the act of June 30, 1932 (ch. 326, 47 Stat. 451), and so much of section 13a of the act of June 3, 1916 (39 Stat. 166), as amended by the act of July 2, 1926 (44 Stat. 781), reading "On and after July 1, 1929, and in time of peace, not less than 20 percent of the total number of pilots employed in tactical units of the Air Corps shall be enlisted men, except when the Secretary of War shall determine that it is impractical to secure that number of enlisted pilots," are hereby repealed.

SEC. 2. Nothing in this act shall be construed as affecting the status of enlisted personnel of the armed services, including the Reserve components thereof, designated as aviation or enlisted pilots or engaged in training relating to or leading to such designation.

BILL PASSED OVER

The bill (H. R. 2660) to prohibit the parking of vehicles upon any property owned by the United States for postal purposes, was announced as next in order.

MR. WHERRY. Mr. President, by request, I ask that the bill go over.

MR. HOLLAND subsequently said: Mr. President, I should like to ask the distinguished minority leader at whose request he objected to the consideration of Calendar 185, House bill 2660, so that before the next call of the calendar I may take the matter up with the Senator who asked the Senator to object.

MR. WHERRY. If the Senator will come to my desk I shall be glad to give him the information. It might be possible to get the matter ironed out before the call of the calendar is completed.

COMMISSION ON RENOVATION OF THE EXECUTIVE MANSION

The bill (S. 1432) to provide for a Commission on Renovation of the Executive Mansion was announced as next in order.

MR. CHAVEZ. Mr. President, this is the same as Calendar 192, House bill 3856, and I ask unanimous consent that the House bill may be substituted for the Senate bill.

THE PRESIDING OFFICER. Is there objection?

MR. HENDRICKSON. Which bill is this?

MR. WHERRY. It is order No. 186.

THE PRESIDING OFFICER. It is the same as Calendar 192, which is House bill on the same subject.

MR. HENDRICKSON. I should like to have an explanation.

MR. CHAVEZ. Mr. President, the Senate bill is similar to House bill 3856, which has already passed the House. It provides for the appointment of a commission to take care of remodeling and rehabilitating the White House. The Committees on Public Works of both the Senate and the House looked into the matter, and the bill makes provisions similar to that made for other commissions having to do with buildings of the type of the White House. The Jefferson Memorial, the Lincoln Memorial, and historical monuments of that kind are always operated by commissions.

The commission in question is assigned five specific functions, which are

set forth in the committee report. The commission is to be composed of two Members of the Senate to be appointed by the President of the Senate, two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and two members to be appointed by the President of the United States.

The five specific functions as set forth in the report are:

(1) To approve all construction plans for the renovation and modernization of the Executive Mansion;

(2) To determine the methods for selecting, and approve the selection of, the general contractor and the subcontractors who will perform the construction work, subject to such conditions and limitations as may be contained in appropriations made for such work;

No appropriations have been made up to this time.

(3) To supervise generally the progress of such construction work;

(4) To take measures to assure that all lumber, fixtures, and other materials removed from the Executive Mansion in the course of the work are carefully examined for the purpose of safeguarding and segregating any of such materials which are of such historical importance that they should be permanently preserved * * *;

(5) To submit to the Congress and the President from time to time, but at least once annually, a report on the progress of the work under its supervision.

MR. President, the House has passed H. R. 3856 dealing with this subject. The Senate bill was reported unanimously from the Committee on Public Works. It was approved by members of both the Democratic Party and the Republican Party.

THE PRESIDING OFFICER. Is there objection to the present consideration of House bill 3856?

MR. LUCAS. Mr. President, in addition to what the able Senator from New Mexico has said, let me advise my distinguished colleague from New Jersey [Mr. HENDRICKSON] that the President of the United States is extremely anxious that the bill be passed. The passage of the bill would relieve him of all responsibility, and place the responsibility for the renovation of the White House in the hands of the Commission, which shall have the power to employ contractors, subcontractors, and architects, and to do anything and everything necessary to rehabilitate the Executive Mansion. I think the Senator from New Jersey will agree with me that from the reports we have had resulting from the present examination made of the White House, it needs rebuilding at the earliest possible time. It is a highly dangerous structure for anyone to attempt to live in.

MR. HENDRICKSON. Mr. President, I have no objection to the request made by the Senator from New Mexico, but I should like to ask him a question, if he will yield for that purpose?

MR. CHAVEZ. I yield.

MR. HENDRICKSON. I notice the bill provides for two members of the Commission to be appointed by the President from the executive branch or from private life. Under the bill he could appoint two members of the Commission from either the executive branch or

private life, or one from each. I wonder if a limitation should be placed in the bill to the effect that one appointment should be made from the executive branch and that the other appointment should be made from private life.

Mr. CHAVEZ. Mr. President, I have no information respecting what the President would do about that. My opinion is that the work is of such great importance, and that the situation is so serious that the President would be desirous of obtaining the best available person to act on the Commission. My opinion is that he would endeavor to secure the services of the best engineers and architects to help the two Members appointed from the House and the two Members appointed from the Senate.

Mr. HENDRICKSON. In view of the importance of the matter, Mr. President, I withhold any objection.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 3856?

There being no objection, the bill (H. R. 3856) to provide for a Commission on Renovation of the Executive Mansion, was considered, ordered to a third reading, read the third time, and passed.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that Senate bill 1432 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate bill 1432 is indefinitely postponed.

OHIO RIVER BRIDGE, SHAWNEETOWN, ILL.

The Senate proceeded to consider the bill (S. 755) to extend the time for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Ill., which had been reported from the Committee on Public Works, with amendments, on page 2, line 9, after the word "from", to strike out "June 26, 1946" and insert "the date of approval of this act"; and in line 12, to strike out "Sec. 3. This act shall be effective from June 26, 1947.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the proviso to the first section of the act entitled "An act to revive, reenact, and amend the act entitled 'An act authorizing the county of Gallatin, State of Illinois, its successors, and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the city of Shawneetown, Gallatin County, Ill., to a point opposite thereto in the county of Union, State of Kentucky,' approved July 18, 1939," approved June 26, 1946, the times for commencing and completing the construction of a bridge across the Ohio River, at or near Shawneetown, Ill., authorized to be built by the county of Gallatin, State of Illinois, by an act of Congress approved July 18, 1939, which act was extended by an act of Congress approved July 2, 1940, and was revived, reenacted, and amended by an act of Congress approved June 26, 1946, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL RULES OF CIVIL PROCEDURE APPLICABLE TO ALASKA

The bill (S. 70) to make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That a new section be inserted in the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 321), as amended, immediately following section 5 of title I thereof, to read as follows:

"5a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of title 28, United States Code, section 2072, or under authority of any other statute, regulating the forms of process, writs, and motions, and the pleadings, practice, and procedure, in actions of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the District Court for the Territory of Alaska and to appeals therefrom."

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS BY ATTORNEY GENERAL

The concurrent resolution (S. Con. Res. 27), favoring the suspension of deportation of certain aliens, was announced as next in order.

Mr. WHERRY. Mr. President, is this concurrent resolution similar to other concurrent resolutions concerning which inquiry has been previously made today?

Mr. McCARRAN. Yes; this is another of the same type of concurrent resolution. Mr. President, I ask the attention of every Member of the Senate to the statement I shall now make respecting these measures. Similar measures are coming to the Senate nearly every week, are being acted on, and are being placed on the calendar. They are measures which are of grave concern to the Committee on the Judiciary and especially of grave concern to the chairman of the committee, because I realize the seriousness of holding within this country persons who should not be here. With that in mind we are watching the situation as closely as our facilities will permit. We are demanding of the Department of Justice that it give us detailed statements in the case of each suspension. When we have such a detailed statement we then make a further study. But even with that precaution I am not at all certain that we are sufficiently cautious.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Nebraska for a question?

Mr. McCARRAN. I yield.

Mr. WHERRY. That is the point concerning which I wish to ask the Senator. I am in full accord with the basic legislation involved. But the Senator from Nevada has over and over again stated that there was a lack of facilities or personnel or something with which to do what the basic legislation really provides should be done. Can the Senator sug-

gest what more is needed in order to do what the Senator would like to have done?

Mr. McCARRAN. Let me say to the Senator from Nebraska that, so far as the Senate Judiciary Committee is concerned, we are quite well staffed. Our staff goes into these questions in detail. But the House Committee on the Judiciary is not sufficiently staffed, and it brings matters of this kind quite frequently to the attention of the chairman of the Senate Committee on the Judiciary. So we go into such matters with great caution and great care, but even then, I will say to the Senator from Nebraska, I am not always entirely content.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. TYDINGS. As I understand the procedure, the Attorney General states, in effect, that certain aliens in this country are not compelled to leave it.

Mr. McCARRAN. That is correct. He suspends deportation.

Mr. TYDINGS. That is what I speak of. I have tried to put it into simple language. Then the matter comes before the Committee on the Judiciary of the Senate, and the committee reviews what the Attorney General has done, and the committee either approves or disapproves the action of the Attorney General?

Mr. McCARRAN. We not only review what he has done, but we go as much further as we have facilities with which to go into the matter.

Mr. TYDINGS. Suppose the committee should say it believes the deportation is advisable. What happens then?

Mr. McCARRAN. Then we hold it. It does not come before the Senate. We hold it, and the suspension does not go into effect.

Mr. TYDINGS. In other words, the only individuals who can remain in the country are those whose stay in the country is approved both by the Attorney General and the committee?

Mr. McCARRAN. And the Congress.

Mr. TYDINGS. And the Congress. Therefore, unless the Congress approves what the Attorney General has done the persons in question are automatically deported.

Mr. McCARRAN. That is correct.

Mr. TYDINGS. I should like to ask the Senator one more question. Does the committee or members of its staff see these individuals personally, or how does the committee secure evidence on which it decides whether the individuals should be deported or should not be deported?

Mr. McCARRAN. We do not see the individuals personally. It would be impossible for us to see them. That would require a staff much greater than we have, and I do not know then how far we would have to go. We take the report from the Department of Justice. We call on the FBI for all information they may have. We resort to every other means known to the Immigration Bureau, and then make our report to the full Committee on the Judiciary of the Senate.

Mr. TYDINGS. The committee reviews all the things it knows of that affect the case, and determines whether or not justice or injustice is being done?

Mr. McCARRAN. That is correct.

Mr. TYDINGS. I thank the Senator. Mr. WHERRY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. WHERRY. I had in mind to ask some of the questions the distinguished Senator from Maryland has asked. I should like to ask one or two more questions.

Mr. McCARRAN. Very well.

Mr. WHERRY. About how many such cases has the Committee on the Judiciary held up?

Mr. McCARRAN. Up to date we have held up approximately 10 percent of the cases submitted to us by the Department of Justice. When I say 10 percent, we may in some cases drop down to 5 percent, or we may go as high as 20 percent. Some day we may refuse to adopt the report from the Department of Justice with respect to all of them. I do not know. But we cannot be too cautious in this matter.

Mr. WHERRY. How many hundred cases would the Senator say have come before the Judiciary Committee for consideration?

Mr. McCARRAN. To date, about 800.

Mr. WHERRY. Of that number, approximately 80 have been held up.

Mr. McCARRAN. Between 80 and 100.

Mr. WHERRY. Is the Senator satisfied with the facilities, personnel, appropriations, or whatever is necessary to do what the Senator himself feels should be done in the review of these cases? I do not mean to cast any reflection on the Department of Justice, the FBI, or any other agency. I have the greatest confidence in the Senator from Nevada. Apparently he is somewhat reluctant to feel that what has been done is all that should have been done.

Mr. McCARRAN. To be perfectly frank, if we had a staff of 100, I do not know that we could go as far as we should go in each one of these cases. But we go as far as we can, and before a case is submitted to the Judiciary Committee we are satisfied that the suspension should be sustained.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-9743510, Aasmo, Kristian Ingvard.
A-1537001, Anderson, Mary Elvera (nee Soderman, formerly Sjoblom).

A-3734119, Araya, Luis Alberto y Franc, or Luis Alberto Araya.

A-5987595, Arias-Perez, Jose Angel.

A-1901927, Augustatos, Panagis, or Peter Statos.

A-7028110, Ballester, Amparo Teresa Asela (alias Amparo Iturbi Ballester).

A-3172055, Bartkowiak, Peter (alias Hans Halbe).

A-5220001, Bausback, Robert; Robert Hill.
A-9575542, Berkhout, Willem.

A-2588586, Bogdanovic, Savo, or Nicholas Pechar.

A-3793346, Borgwardt, Hans Karl.
A-2890486, Borrell, Teresa Adell (nee Gelma).

A-6451024, Black, Cristeta Bracamonte.
A-4451159, Braxton, Bedena Mae (nee Jackson).

A-5277574, Breed, Lois Hannah (nee Lois Hannah Carson).

A-6010603, Browne, Wolsely, or Woseley Browne.

A-5911494, Bubaris, Gus, or Constantine Bubaris.

A-6635469, Castillo, Margarita de Nino, or Margarita Castillo-Guzman.

A-6645953, Castillo-Nino (Nino-Castillo), Maria Teresa.

A-6732046, Caudillo, Tula Bonnie or Buenaventura.

A-4196469, Chai, Yung Shu, or Ashun Yung.

A-5780020, Chairman, Imre Von Csernyak, or Irving Chairman.

A-5553362, Chiampì, Vincenzo, or James Chiampì.

A-4314275, Chaitowich, Louis, or Louis Kaplan.

A-6244381, Constantinidis, Aristides (alias Aris Contis).

A-6221542, Cooper, Prisca Edrozo.
A-1405762, Dadines, Gustus or Gus or Constantinos.

A-4859572, Dalsass, Vigilio.
A-5696856, De Garcia, Reina Flores, or Reina Flores or Reina V. Florez or Reina Flores Garcia.

A-1319885, Dove, Alec George.
A-4479978, Dumo, Caridad Inigo, or Caridad Inigo.

A-6458415, Fenner, Edward George.
A-6458414, Fenner, Ronald James.

A-2383471, Freitas (de), Robert Montello.
A-4641707, Gabriel, John Riiza, or John Riiza.

A-6289030, Galocky, Peter, or Peter Galocki or Szalaky.

A-6682329, Gallant, Marie Doris.
A-6682330, Gallant, Marie Aline.

A-5078290, Gaug, Elizabeth (nee Bergman).
A-4899082, Gobel, Andrew, or Andreas Hupka.

A-4266209, Goldschmidt, Paul Andrew.
A-2984527, Gonzales, Juan Cruz.

A-5965015, Goster, Anton, or Anton Goester.

A-6339993, Gutierrez-Telleria, Joaquin.
A-6057291, Henning, Charlotte (nee Meske-witz or Moskowitz).

A-3622165, Hing, Frank, or Fon Hing.
A-9527867, Hinojosa, Salvador De La Rosa.

A-4740106, Hodge, James Milton.
A-2744180, Horque, Abdul, or Abdull Ali or Michael Banali.

A-5789523, Ippolito, Lorenzo or Lawrence.
A-3009283, Karayannis, Athanasios, Joamis, or Thomas Karras.

A-4790517, Karlisen, Gustav Adolf, or Gus Karlisen.

A-4385826, Khan, Mohammed Yousaf, or Mohammed Khan or Joseph Martin.

A-6163659, King Socorro Salvador.
A-6537545, Lambert, Peter William.

A-3244422, Larsen, Harry William.
A-5279913, Lazarowitz, Liza, or Liza Pol-lack or Liza Spector.

A-5341670, Liu, Pin Pin or Lau (nee T'an).
A-5946657, Macris, Demetrios (Demitrios) George, or James Demetrios (Dimitrios Macris or James Morris or James Makers).

A-1293850, Malr, Esther Julia (nee Arlain formerly Beaubrun).

A-6756642, Martinez-Cuellar, Joel.
A-6342234, Mecham, Elisha James.

A-6199462, Mecham, Peggy Lynn.
A-6199463, Mecham, Eldon James.

A-6290925, Morris Edward Nemiah, or Edward Samuel Morris or Vincent Lawrence.

A-4648305, Moy, Mabel Mary, or Mabel Chung Moy or Mabel Mary Song or Geung Keu Sing.

A-5348214, Munoz-Melendez, Lorenzo.
A-6528174, Nino-Arroyo, Felipe.

A-5670657, Nolfi, Nicola Mario.
A-8069739, Nunez, Nicolas, or Nicolas Nunez Valencia.

A-6516676, O'Dwyer, Elizabeth (nee Semevsky or Elizabeth Semevsky Roberts).

A-6145883, Ortaliz, Jose Montilla.
A-6145884, Ortaliz, June Ann.

A-6145891, Ortaliz, Rosina Lou.
A-6047308, Pedroza, Gilberto.

A-6047309, Pedroza, Francisca.
A-5322856, Phillips, Clarence Daniel.

A-3138310, Pratelli, Gino.
A-6056513, Ramirez-Mendoza, David.

A-6243348, Rebolgar, Jesus Garcia, or Jessie Rebolgar or Jesus Rebolgar Y Garcia.

A-5648666, Reno, Mildred Agnes (nee Deneau).

A-6087331, Rivera, Maria Lorenza Gonzalez (nee Mejia).

A-3610681, Rodriguez, Antonio Manuel Ruiz.

A-6581448, Rodriguez, Lucio Socorro, or Lucio Rodriguez-Velo.

A-6187293, Roesler, Norbert Leonhard Hugo.

A-5377064, Rohan, Shella (nee McLaughlin).

A-5840169, Rose, Frederick Winston, or Winston Rose.

A-9530108, Rubin, Tore Gustaf Borje.
A-5290628, Saklias, Stavros, or Steve Saklias.

A-9706709, Schoneveld, Willem.
A-2851871, Shall, Mary Raffaella (nee Zaf-fino).

A-1748967, Shaher, Armed.
A-1253293, Shiffriss, Oved.

A-1521407, Shiffriss, Shoshana (nee Shoshana Zelmans).

A-6185203, Soriano, Vera Semenova (nee Doroshenko).

A-6346405, Stocks Alexander Albert.
A-2593026, Strupp, Adele (nee Eckstein alias Adele Elizabeth Strupp).

A-6378219, Tischner, Kenneth James, formerly Kenneth James Quigly.

A-9607272, Valantasis, Georgios and George Kostl Valantasis, or Valantassis.

A-6249025, Van Dillen, Mathilde Alexan-drine (nee Schoorel).

A-6177707, Van Dillen, Paul.
A-6145980, Vasquez, Jose Garcia.

A-6145981, Vasquez, Elizabeth Beedle.
A-5553142, Von Rabenau, Alexander Constantine (alias Alexander Olvera alias Alexander A. Rabenau).

A-4205188, Wang, Hsi, or Harry Wang.
A-4205176, Wang, Djao Szi, or Lily Wang.

A-6099150, Widerynski, Maria Antonietta.
A-6551114, Zerda, Dolores Phyllis.

A-6551115, Zerda, Dale Melford Aldeous.

CARE AND CUSTODY OF INSANE PERSONS CHARGED WITH OFFENSES AGAINST THE UNITED STATES

The Senate proceeded to consider the bill (S. 936) to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That title 18, United States Code, chapter 313, is amended by adding at the end thereof the following sections:

"§ 4244. Mental incompetency after arrest and before trial.

"Whenever after arrest and prior to the imposition of sentence or prior to the expiration of any period of probation the United

States Attorney has reasonable cause to believe that a person charged with an offense against the United States may be presently insane or otherwise so mentally incompetent as to be unable to understand the proceedings against him or properly to assist in his own defense, he shall file a motion for a judicial determination of such mental competency of the accused, setting forth the ground for such belief with the trial court in which proceedings are pending. Upon such a motion or upon a similar motion in behalf of the accused, or upon its own motion, the court shall cause the accused, whether or not previously admitted to bail, to be examined as to his mental condition by at least one qualified psychiatrist, who shall report to the court. For the purpose of the examination the court may order the accused committed for such reasonable period as the court may determine to a suitable hospital or other facility to be designated by the court. If the report of the psychiatrist indicates a state of present insanity or such mental incompetency in the accused, the court shall hold a hearing, upon due notice, at which evidence as to the mental condition of the accused may be submitted, including that of the reporting psychiatrist, and make a finding with respect thereto. No statement made by the accused in the course of any examination into his sanity or mental competency provided for by this section, whether the examination shall be with or without the consent of the accused, shall be admitted in evidence against the accused on the issue of guilt in any criminal proceeding. A finding by the judge that the accused is mentally competent to stand trial shall in no way prejudice the accused in a plea of insanity as a defense to the crime charged; such finding shall not be introduced in evidence on that issue nor otherwise be brought to the notice of the jury.

"§ 4245. Mental incompetency undisclosed at trial.

"Whenever the Director of the Bureau of Prisons shall certify that a person convicted of an offense against the United States has been examined by the board of examiners referred to in title 18, United States Code, section 4241, and that there is probable cause to believe that such person was mentally incompetent at the time of his trial, provided the issue of mental competency was not raised and determined before or during said trial, the Attorney General shall transmit the report of the board of examiners and the certificate of the Director of the Bureau of Prisons to the clerk of the district court wherein the conviction was had. Whereupon the court shall hold a hearing to determine the mental competency of the accused in accordance with the provisions of section 4244 above, and with all the powers therein granted. In such hearing the certificate of the Director of the Bureau of Prisons shall be prima facie evidence of the facts and conclusions certified therein. If the court shall find that the accused was mentally incompetent at the time of his trial, the court shall vacate the judgment of conviction and grant a new trial.

"§ 4246. Procedure upon finding of mental incompetency.

"Whenever the trial court shall determine in accordance with sections 4244 and 4245 of this title that an accused is or was mentally incompetent, the court may commit the accused to the custody of the Attorney General or his authorized representative, until the accused shall be mentally competent to stand trial or until the pending charges against him are disposed of according to law. And if the court after hearing

as provided in the preceding sections 4244 and 4245 shall determine that the conditions specified in the following section 4247 exist, the commitment shall be governed by section 4248 as herein provided.

"§ 4247. Alternate procedure on expiration of sentence.

"Whenever the Director of the Bureau of Prisons shall certify that a prisoner whose sentence is about to expire has been examined by the board of examiners referred to in title 18, United States Code, section 4241, and that in the judgment of the Director and the board of examiners the prisoner is insane or mentally incompetent, and that if released he will probably endanger the safety of the officers, the property, or other interests of the United States, and that suitable arrangements for the custody and care of the prisoner are not otherwise available, the Attorney General shall transmit the certificate to the clerk of the court for the district in which the prisoner is confined. Whereupon the court may in its discretion cause the prisoner to be examined by a qualified psychiatrist designated by the court and one selected by the prisoner, and shall, after notice, hold a hearing to determine whether the conditions specified above exist. At such hearing the designated psychiatrist or psychiatrists may submit his or their reports, and the report of the board of examiners and other institutional records relating to the prisoner's mental condition shall be admissible in evidence. All of the psychiatrists and members of the board who have examined the prisoner may be called as witnesses, and be available for further questioning by the court and cross-examination by the prisoner or on behalf of the Government. If upon such hearing the court shall determine that the conditions specified above exist, the court may commit the prisoner to the custody of the Attorney General or his authorized representative.

"§ 4248. Termination of custody by release or transfer.

"Whenever a person shall be committed pursuant to section 4247 of this title, his commitment shall run until the sanity or mental competency of the person shall be restored, or until the mental condition of the person is so improved that if he be released he will not endanger the safety of the officers, the property, or other interests of the United States, or until suitable arrangements have been made for the custody and care of the prisoner by the State of his residence, whichever event shall first occur. Whereupon the Attorney General or his authorized representative shall file with the court which made said commitment a certificate stating the termination of the commitment and the ground therefore: *Provided, however,* That nothing herein contained shall preclude a prisoner committed under the authority of section 4247 hereof from establishing his eligibility for release under the provisions of this section by a writ of habeas corpus. The Attorney General or his authorized representative shall have authority at any time to transfer a prisoner committed to his custody under the authority of section 4246 or section 4247 hereof to the proper authorities of the State of his residence."

SEC. 2. The analysis of chapter 313 of such title, immediately preceding section 4241, is amended by adding at the end thereof the following:

"4244. Mental incompetency after arrest and before trial.

"4245. Mental incompetency undisclosed at trial.

"4246. Procedure upon finding of mental incompetency.

"4247. Alternate procedure on expiration of sentence.

"4248. Termination of custody by release or transfer."

SEC. 3. The Attorney General may authorize the use of any unexpended balance of the appropriation for "Support of United States prisoners" for carrying out the purposes of title 18, United States Code, sections 4244 to 4248, inclusive, or in payment of any expenses incidental thereto and not provided for by other specific appropriations.

SEC. 4. If any provision of title 18, United States Code, sections 4244 to 4248, inclusive, or the application thereof to any person or circumstance shall be held invalid, the remainder of the said sections and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROCESSING OF VISA CASES INVOLVING ALIEN FIANCÉS AND FIANCÉES OF MEMBERS OF THE ARMED FORCES

The Senate proceeded to consider the joint resolution (H. J. Res. 160) to authorize completion of the processing of the visa cases, and admission into the United States, of certain alien fiancés, and fiancées of members, or of former members, of the armed forces of the United States, as was provided in the so-called GI Fiancées Act (60 Stat. 339), as amended, which had been reported from the Committee on the Judiciary with amendments.

Mr. LANGER. Mr. President, I wonder if the distinguished Senator from Nevada [Mr. McCARRAN] would have any objection, in line 12 on page 2, to changing the date from January 1, 1949, to April 1, 1949. There are some very important cases in my State involving men who want to be married. They served in Germany or Austria.

Mr. McCARRAN. As I understand, the proposed amendment would allow an extra 4 months.

Mr. LANGER. That is correct.

Mr. McCARRAN. The joint resolution has been passed by the House. It would probably have to go to conference. I have no objection to such an amendment.

Mr. LANGER. If it should go to conference, I do not think that would make any difference.

Mr. McCARRAN. I have no objection, if the Senator wishes to offer that amendment.

Mr. LANGER. Mr. President, I offer the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from North Dakota will be stated.

The LEGISLATIVE CLERK. On page 2, line 12, after the word "before" it is proposed to strike out "January" and insert "April."

The amendment was agreed to.

The amendments of the Committee on the Judiciary were, on page 2, line 12, after the numerals "1949" to strike out "and were unable to come to the United States for reasons beyond their control"; in line 14, after "United States" to strike out "before July 1, 1949" and insert

"within five months after the effective date of this act."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The preamble was agreed to.

EXTENSION OF VOCATIONAL EDUCATION ACT BENEFITS TO THE VIRGIN ISLANDS

The Senate proceeded to consider the bill (S. 493) to extend the benefits of the Vocational Education Act of 1946 to the Virgin Islands.

Mr. SCHOEPPEL. Mr. President, I should like to have an explanation of the bill, particularly with reference to why the Virgin Islands are not required to match grants-in-aid, as the States are required to do.

Mr. O'MAHONEY. Mr. President, when the Vocational Education Act was passed containing a provision for vocational education for returning veterans, the Virgin Islands were unintentionally omitted. All the other island possessions and Territories of the United States are included. There are about a thousand veterans among the Virgin Islanders who, the committee believes, are entitled to the same consideration which is given to veterans in all the other possessions and States of the United States. The committee is merely correcting what it believes to be an unintentional omission. There is certainly no reason why there should be any discrimination against veterans in the Virgin Islands. The bill was unanimously recommended by the committee.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Virgin Islands shall be entitled to share in the benefits of the Vocational Education Act of 1946, approved August 1, 1946, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1949, and annually thereafter, the sum of \$40,000, to be available for allotment to the Virgin Islands under such act and the modifications hereinafter provided.

Sec. 2. Sums appropriated under authority of section 1 of this act shall be allocated for vocational education in (1) agriculture, (2) home economics, (3) trades and industries, and (4) distributive occupations, in the proportions specified by the Vocational Education Act of 1946, except insofar as the Commissioner of Education, with the approval of the Federal Security Administrator, deems it necessary to modify said proportion to meet special conditions existing in the Virgin Islands.

Sec. 3. The provisions of sections 3, 5, 6, 7, and 8 of the Vocational Education Act of 1946, relating to the use and payment of sums under said Act, shall apply to sums appropriated under this act with such modifications as the Commissioner of Education, with the approval of the Federal Security Administrator, shall deem necessary to meet the special conditions existing in the Virgin Islands.

CONVEYANCE TO PINELLAS COUNTY, FLA., OF CERTAIN PUBLIC LANDS

The bill (S. 166) to amend the act entitled "An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described," approved June 17, 1948 (Public Law 666, 80th Cong.), for the purpose of correcting a land description therein was announced as next in order.

Mr. O'MAHONEY. Mr. President, this bill is the same as House bill 1998, No. 217 on the calendar. I ask unanimous consent for the present consideration of the House bill.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 1998?

There being no objection, the bill (H. R. 1998) to amend the act entitled "An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described," approved June 17, 1948 (Public Law 666, 80th Cong.), for the purpose of correcting a land description therein was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 166 will be indefinitely postponed.

CHANGE OF NAME OF CULBERTSON DAM ON THE REPUBLICAN RIVER IN NEBRASKA

The Senate proceeded to consider the bill (S. 270) to change the name of Culbertson Dam on the Republican River in the State of Nebraska to "Trenton Dam" which had been reported from the Committee on Interior and Insular Affairs with an amendment at the top of page 2, to insert:

The body of water arising behind such dam shall hereafter be designated and referred to as "Swanson Lake" in commemoration of Carl H. Swanson.

So as to make the bill read:

Be it enacted, etc., That the dam under construction on the Republican River in the State of Nebraska, heretofore known, designated, and referred to as "Culbertson Dam," shall hereafter be designated and referred to as "Trenton Dam." Any law, regulation, document, or record of the United States in which such dam is designated or referred to under and by the name "Culbertson Dam" shall be held and considered to refer to such dam under and by the name of "Trenton Dam." The body of water arising behind such dam shall hereafter be designated and referred to as "Swanson Lake" in commemoration of Carl H. Swanson.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to change the name of Culbertson Dam on the Republican River in the State of Nebraska to 'Trenton Dam' and to name the body of water arising behind such dam 'Swanson Lake.'"

EXTENSION OF TIME FOR USE OF CONSTRUCTION RESERVE FUNDS UNDER MERCHANT MARINE ACT.

The joint resolution (H. J. Res. 136) to extend the time for use of construction reserve funds established under section

511 of the Merchant Marine Act, 1936, as amended, was announced as next in order.

Mr. WHERRY. Mr. President, may we have an explanation of what is involved? The chairman of the committee, Mr. JOHNSON of Colorado, is present. I do not want to have the joint resolution go over unless there is reason for objection.

Mr. JOHNSON of Colorado. Mr. President, the joint resolution was introduced by the chairman of the House Committee on Merchant Marine and Fisheries. It was reported favorably from that committee by unanimous vote, after public hearings, and passed the House without objection. The joint resolution has the approval of the United States Maritime Commission and the Treasury Department.

The purpose of this resolution is to amend section 5 of Public Law 384, Eightieth Congress, approved August 8, 1947, relating to the merchant marine construction reserve funds established under section 511 of the Merchant Marine Act of 1936, as amended, by striking out "March 31, 1948" and inserting in lieu thereof "March 31, 1951."

The reason for the joint resolution is to hold the funds together, so that investment may be made. Unless this measure is passed, the funds will be dissipated, which will necessitate the payment of taxes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

LONG-RANGE PROVING GROUND FOR GUIDED MISSILES

The bill (H. R. 1741) to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes was announced as next in order.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. TYDINGS. Mr. President, we all know that guided missiles were used in the last war. Mr. Hitler used them—the V-1, and V-2 buzz bombs shot from the Continent of Europe to London and other cities.

Since the termination of the war valuable data have fallen into the hands of various governments. Our Government considers it wise, in order to maintain its defenses, to continue testing the various guided-missile weapons to see whether or not they are adaptable to modern warfare. It is necessary to have a range on which the tests can be made.

We have held extensive hearings on the subject. We have even brought scientists all the way across the country from the Pacific coast. This is a national defense measure. It is asked for by the President and by the Department of National Defense. There is no objection to it. In drafting the legislation we have tried to frame it so as to locate and operate the proving ground at such a place and in such a manner that it will not interfere with the normal activities of the people of the United States.

Mr. HENDRICKSON. May I ask the distinguished Senator from Maryland whether the committee was unanimous?

Mr. TYDINGS. The committee was unanimous.

Mr. HENDRICKSON. I have no objection.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I yield.

Mr. WHERRY. Is there any available United States property where this proving ground could be located, or is it necessary to acquire new land?

Mr. TYDINGS. I will say to the Senator that it would be a little difficult for me to answer that question publicly. However, some United States property is available, and complete arrangements have been made to do the job in the most economical way it can be done. I think I speak for the entire committee in making that statement.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with amendments.

The first amendment was, on page 2, line 6, after the word "amended," to strike out the comma and the words "in administering the provisions of the act of July 9, 1942 (56 Stat. 654, 43 U. S. C., Supp. 315q)." and insert "Prior to the acquisition under the authority of this section of any lands or rights or other interests pertaining thereto, the Secretary of the Air Force shall come into agreement with the Armed Services Committees of the Senate and the House of Representatives with respect to the acquisition of such lands, rights, or other interests."

The amendment was agreed to.

The next amendment was, on page 2, after line 17, to strike out:

SEC. 4. The Secretaries of the Army, the Navy, and the Air Force are hereby authorized to contribute to the support of the joint long-range proving ground for guided missiles and other weapons to the extent they may deem necessary or advisable, including, but not limited to, the allocation for such support of funds available to them for such purposes.

SEC. 5. The Secretary of Defense may, at his discretion, transfer and reallocate to the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force all, or any part of the authority granted herein, and, in connection with such transfer or reallocation, may transfer all or any part of the funds available for the establishment or support of the joint long-range proving ground for guided missiles and other weapons.

And insert:

SEC. 4. The Secretary of Defense is authorized, in his discretion, to transfer to the Secretary of the Army or the Secretary of the Navy, and to retransfer from either of such Secretaries to the other or to the Secretary of the Air Force, all, or any part of, the authority granted by sections 1 and 2 of this act; and, in connection with any such transfer or retransfer, to transfer all or any part of the funds available for the establishment and support of the joint long-range proving ground for guided missiles and other weapons. The Secretary of Defense is fur-

ther authorized to permit, to the extent that he may deem appropriate, the Secretaries of the Army, the Navy, and the Air Force to contribute, with or without reimbursement, to the establishment and support of the joint long-range proving ground for guided missiles by the loan, assignment, or transfer of personnel, supplies, equipment, and services.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PERSECUTION OF RELIGIOUS LEADERS FOR POLITICAL PURPOSES IN CERTAIN COUNTRIES

The resolution (S. Res. 102) favoring the protest in the United Nations of the persecution of certain clergymen in Hungary, Yugoslavia, and Bulgaria was considered, and agreed to, as follows:

Resolved, That it is the sense of the Senate that these actions should be strongly protested in the United Nations or by whatever other means may be appropriate.

The preamble was agreed to, as follows:

Whereas the persecution of Cardinal Mindszenty and Bishop Ordass in Hungary, of Archbishop Stepinac in Yugoslavia, and of Protestant clergymen in Bulgaria, evidences the abridgment and violation of fundamental human freedoms guaranteed in the treaties of peace and reaffirmed in the United Nations Charter: Now, therefore, be it

APPROPRIATIONS FOR EMERGENCY NEEDS OF CRIPPLED CHILDREN

The joint resolution (H. J. Res. 212) authorizing appropriations to the Federal Security Administrator in addition to those authorized under title V, part 2, of the Social Security Act, as amended, to provide for meeting emergency needs of crippled children during the fiscal year ending June 30, 1949, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GEORGE. Mr. President, by way of explanation, let me say that the additional amount which the joint resolution would authorize for the care and hospitalization of crippled children throughout the country is only \$1,500,000. It has been found necessary to take care of a large number of children who suffered from infantile paralysis during the last year; and the proposed increase over the appropriation already authorized is only \$1,500,000.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

NELLIE M. CLARK

The bill (H. R. 1094) for the relief of Nellie M. Clark was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF H. M. MCCORVEY

The bill (H. R. 1164) for the relief of the estate of H. M. McCorvey was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. LEROY HANN

The bill (H. R. 1176) for the relief of Mr. and Mrs. Leroy Hann was considered, ordered to a third reading, read the third time, and passed.

MRS. JUDGE E. ESTES

The bill (H. R. 1280) for the relief of Mrs. Judge E. Estes was considered, ordered to a third reading, read the third time, and passed.

ELIZABETH ROWLAND

The bill (H. R. 1286) for the relief of Elizabeth Rowland was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 28) favoring the suspension of deportation of certain aliens was considered and agreed to as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.

A-7793367, Acevedo, Ramona nee Diaz Galletty.

A-6683184, Adam Emmanuel Konstantinos or Emanuel Constantinos Adam.

A-5880692, Altmann, Anton Frederick (Friedrich).

A-6758166, Alves, Domingos Esteves.

A-6115712, Anguiano-Alcazar, Felix alias Agustin Valencia alias Agustin Valencia Anguiano alias Felix Anguiano alias Felix Angualino.

A-3224363, Andersen, Knud Kaspar.

A-2940833, Anderson, Axel Hjalmar alias Axel Hjalmar Carlsson.

A-9577267, Apeessos, Ioannis Pndelis alias John P. Apeessos.

A-6679669, Appelthaler, Katerina.

A-6679668, Appelthaler, Kurt Robert.

A-2211955, Arellano, Domingos Ramos.

A-1393347, Arellano, Soledad Valadez or Soledad Maria Valadez.

A-6071241, Arellano, Innocencio.

A-6071239, Arellano, Domingo, Jr., or Dominic Arellano.

A-6071240, Arellano, Juan or John Arellano.

A-3779214, Arit, Hans Erich Lothar.

A-1153452, Arrighi, Alessandro or Alexander or Alessandro Arrigo.

A-6301280, Bagniewski, Wanda Stanislaw or Wanda Stanislaw Klernik.

A-6821666, Bastide, Genevieve Marcelle.

A-2118744, Bau, Siu-Tsung or Marguerite Janet Bau Chang.

A-3419857, Baum, Betty.

A-3151534, Baumann, Henrik Chaskiel or Henry Baumann.

A-6026888, Beitelstein, Anton, Anton Stein, Tony Stein, or Anton Beidelstem, Anton Beitelstein.

A-7765476, Berard, Jorge Vandesmet.

A-5920168, Berkle, Ivera Romalia.

A-6434078, Bernheimer, Ludwig.

A-5153633, Bianchi, Luigi.

A-5932160, Blake, Eulalie Constanca or Eulalie Constanca Turnbull.

A-6760216, Blake, Helena Ketruda or Helena Ketruda Powell.

A-3113337, Bober, Maria Theresia Gerber.

A-6466991, Borraccia, Lorenzo.

A-6288235, Bronner, Eugenia Michael formerly Eugenia Gavriloff, nee Losseff.

A-6288068, Bronner, Helen Tamara Marianna formerly Helen Tamara Marianna Gavriloff.

A-6316110, Brouwer, Frans Hieronimus Borgman.

A-6625552, Brown, Doris nee Singh.
 A-2673048, Brown, Morris Simon alias Movsa Braunreit.
 A-6701608, Burgers, Willem Adolph Johan.
 A-6645933, Butterick, Janet Barry or Janet Barry Mack.
 A-7651629, Candia, Jose alias Jose Candia Urguidi or Jose Urguidi or Joe.
 A-9769688, Carro, Alfredo or Alfred Carro.
 A-3299176, Castillo, Geronimo or Giro Castillo.
 A-6336616, Chalmers, Bromley Russell Scott.
 A-6336617, Chalmers, Jill.
 A-7041842, Chin, Yuen Chew or Chin Yuen Chew or Chew Yuen Chinn.
 A-5138325, Chui, Wan; Chui Wan; Hang Kin Chui; Hankin Hunt.
 A-1581731, Ciesla, Ludwik.
 A-5179937, Valdes, Maria Hortensia Clemente y Sanches McDonald; or Hortensia Clemente y Sanchez McDonald Valdes nee Hortensia Clemente y Sanchez; Maria Hortensia Clemente Sanchez or Maria Hortensia Clemente McDonald.
 A-5611302, Cohen, Joseph.
 A-4860986, Cohen, Gertie Gertrude.
 A-2554813, Conradt, Ernst Heinrich Wilhelm or Ernst Henry Conradt.
 A-6262074, Cucullu, Francesca R.
 A-2113086, DaGoutis, Louise Emilie nee Masse.
 A-6404432, Davis, Diane May.
 A-6404433, Davis, Eileen Marie.
 A-6404431, Davis, Philip Bennet.
 A-2945357, Dawson, Harriet Mae or Hattie Mae Lloyd or Harriet Mae Gibson.
 A-4746398, De Escalante, Alicia Adriana Vara or Alicia Adriana Vara-Solis DeCordero.
 A-3197506, De Gomez, Rita Avena alias Rita Avena.
 A-6079055, Dimakos, Christos alias Christos Demakos.
 A-4665465, DiPietro, Sebastiano or Pietro Petrillo or Grido Cardella.
 A-9836789, Drioli, Salvatore.
 A-9671716, Elvir, Cesar Augusto.
 A-4785369, Engles, Elsie Violet nee Elsie Violet Huffman.
 A-5906567, Fahie, Adeline nee Nibbs.
 A-3481412, Fahie, Joseph Alfred.
 A-5832029, Fahie, Rebecca.
 A-3193626, Fekete, Agnes Elizabeth nee Pauza now Kourcosk or Korscak.
 A-6774677, Frank, Annie or Ann Frank or Ann Burtnik Frank or Annie Burtnik Frank.
 A-6716135, Frazer, Joseph Wellington.
 A-6464484, Frenkel, Mayer.
 A-6020425, Gabriel, Manuel Gimenez.
 A-6405609, Gallegos, Manuel or Manuel Medina.
 A-3750703, Garcia, Juan or John Garcia.
 A-6063595, Garcia, William Joseph.
 A-5140522, Garlipp, Franz Hermann or Frank Herman Garlipp.
 A-5048436, Ghinelli, Germano or Jerry Ghinelli.
 A-6051631, Gobb, Marguerite Elinor nee Aaron also known as Marguerite Elinor Aaron.
 A-6500830, Gomez, Maria Pilar alias Olivia Gomez alias Maria Olivia Gomez Pedroza or Maria Pillas Gomez Quesada.
 A-6288439, Greaves, Anne Marie nee Anne Marie Erneste Pierre Monlouis-Eugene.
 A-6630058, Gson-Niebling, Goesta Bertil.
 A-3053878, Hanko, Joseph Ewald or Joseph or Jozef Hanko.
 A-6413603, Harvie, Meryl Lorraine or Meryl Lorraine Grayson.
 A-6369265, Hernandez-Gutierrez, Jose Maria.
 A-4463931, Haimburger, Rudolf Gustave or Rudolf Haimburger.
 A-6590997, Huggins, William Archibald.
 A-6425288, Jacobs, Olive Jane.
 A-6446194, Joanta, Florence nee Florence Antonescu.
 A-9505156, Johansen, Kristian Rudolf.

A-4624493, Kimbell, Ofelia Aycardi nee Aycardi.
 A-9706894, Kokolis, Jonnes Peter; or Kokolis, John Peter alias John Nicholas Kokolis or Ioannis Kokolis or Ioanis Giannaris or Ioannis Panagiotis Kokolis or Ioanis Koukalis.
 A-6489767, Kostzrak, Lita Foerster nee Lita Foerster.
 A-6440727, Kovar, Anton or Anton Joseph Kovar.
 A-6208118, Kromhout, Arle Jan.
 A-4549342, Laeske, Hedwig Anna formerly Browne nee Bardeleben.
 A-6484122, Lansford, Ethel Matilda formerly Ethel Matilda Molohon nee MacDonald.
 A-2773539, Lee, Ruth Mo or Ruth Lo-Tak Mo.
 56122/739, Lencovich, Joseph Peter.
 A-1345989, Lepore, Salvatore alias Samuel or Sam Lepore alias Samuel Le Poce.
 A-4769421, Lettsome, Edward or Edward Letsome.
 A-1424552, Levitsky, Thomas.
 A-6261599, Longos, Katina.
 A-1322447, Lopez-Martinez, Juan.
 A-2365797, de Lopez, Maria Valadez-Romero.
 A-4388670, Lo Surdo, Sebastiano.
 A-2145986, Lucas, Lieselotte or Lieselotte Muenzer or Lotte Muenzer or Munzer.
 A-6706860, Luschig, Klaus Oswald or Klaus Carnival.
 A-4584463, Mac Clymont, David or Thomas Wood.
 A-5777765, Mahlman, Bruno William or Bruno William Dietrich Mahlman.
 A-4052648, Malerba, Domenico or Domenick Malerba.
 A-6095324, Mantzuranis, Evagelia or Evagelia Mantzuranis or Evagelia Stratigakis.
 A-6645782, Mar, Judy alias Judy Muck.
 A-6645783, Mar, James alias James Muck.
 A-6566614, Mariades, Helene Agouras formerly Helene Andrea Agouras.
 A-6612108, Marquez, Arturo.
 A-6612107, Marquez, Maria Del Carmen.
 A-6694634, Martinez, Cruz.
 A-6689502, McDougall, Joseph Ignatius.
 A-3024922, McGill, John Joseph.
 A-6603045, Mendoza, Julio.
 A-6608918, Mendoza, Jose Salome.
 A-9578104, Montgomery, Clem.
 A-5694677, Muller, Mathias or Mathew Muller.
 A-5694675, Muller, Barbara nee Messner.
 A-3869778, Munoz, Maria Amparo Gegunde Gomez nee Maria Gegunde.
 A-2481845, Munroe, Harold Bruce.
 A-9801088, Newton, Arthur.
 A-4026037, Nimeneh, Thomas Kun or Thomas Nimeneh or Thomas Nimeneh-Bey or Thomas Kun Nemerea or Keen Nimeneh or Sam Nimeneh or Keen Nimeh.
 A-4651936, O'Dwyer, Elizabeth nee Ahern alias Elizabeth Organ.
 A-6611843, Ottley, Robyn Josephine.
 A-9836874, Paiceira, Vicente or Vicente Paiceira Perez.
 A-2201575, Palermo, Rosario or Richard Ross Palermo or Ross Palermo.
 A-3140422, Palermo, Salvatore or Samuel Palermo.
 A-3236433, Palermo, Vincenzo or James Palermo.
 A-3140520, Palermo, Anna.
 A-9769360, Pane, Antonino or Anthony Pane or Antonio Pane.
 A-6256122, Papadakis, Georgia N.
 A-4642742, Parasiliti, Nicola Sebastiano Collazzo or Nicola Sebastiano Parasiliti Collazzo or Nicholas Parasi or Benny Pernite or Nicholas Benny Pernite.
 A-6374752, Paul, Alvin Colton Thomas Theophilus.
 A-6331342, Piekarz, Hersz.
 A-6633957, Pilostomos, Christos Antonios.
 A-7598205, Questel, Francois Marie Edouard, or Edouard Questel.

A-5369159, Ramos, Anastacio.
 A-3586557, Ramos, Anacleto.
 A-5711339, Rando, Bartolo.
 A-4798904, de Rangel, Rita Morales or Rita Arroyo.
 A-7703612, Rehen, Estrid Viola Margareta or Estrid Viola Margareta Tengwall nee Sundberg.
 A-9582529, Reinsma, Otte or Otto Reinsma.
 A-6290531, Reiter, Fanny nee Diamond or Fany Reiter.
 A-4030409, Resch, Frank or Frank Reck or Franz Resch.
 A-6608814, Reynolds, Bernard Douglas.
 A-5917858, Robles, Isidro.
 A-6001963, Roberts, Norma Elizabeth or Norma E. Roberts or Norma Roberts.
 A-7757524, Roders, Naomi Elizabeth.
 A-6113669, Roman-Rodriguez, Antonio.
 A-3680851, Rostar, Victor.
 A-6373974, Rothstein, Izidor.
 A-6373973, Rothstein, Helena.
 A-6611826, Rudd, James Sidney.
 A-3667351, Ruiz-Carillo De Quintero, Maria or Dolores Cardenas-Soto.
 A-2548950, Rullo, Hazel Ann nee DeLisie.
 A-9776541, Russo, Salvatore.
 A-5155756, Sagert, Clarence James.
 A-5573562, Schenk, Otto alias Otto Lehman.
 A-5151143, Schneider, Richard Georg.
 A-4728863, Schoenberg, Wilhelm Heinrich August or William Schoenberg.
 A-6376906, Semega, Maria nee Maria Palovick.
 A-5314309, Shee, Ong Kwok or Ong Kwock Shee or Roy Ong.
 A-6378087, Shumis, Artemis Troyannou or Artenoula Trogiannou or Artemis Troiannou or Artemis Troyannou.
 A-1963646, Sirianos, George or Georgios Theodore Sirianos.
 A-6446698, Smedley, Shane Karen Douglas.
 A-4699538, Sommer, Oscar Felix or Oskar Felix Sommer or Felix Sommer.
 A-5465763, Stevens, Annie Isabella.
 A-6772017, Sturmer, Gerlinde Maria.
 A-4433087, Tackolander, Leonard Helge alias Leonard Quire.
 A-5880975, Tatem, Edmund Adolphus.
 A-7539649, Tomas-Morely, Jose or Jose Tomas, Junior.
 A-5357499, Tornow, Marie nee Wejnis or Marie Fischer.
 A-6345256, Trapatsa, Chryssoula.
 A-9836782, Ullah, Anfar.
 A-6346062, Vafides, Olga nee Rafaeledes.
 A-9727432, Valjas, Artemi.
 A-6459280, Vasquez, Jorge Carrion alias Robert Franco.
 A-1114647, Vestes, Stratos or Ernest Vestes alias Efistatios Vestis.
 A-6690309, Villegas, Ramon alias Ramon Villegas-Ortiz.
 A-6785838, Wallace, Ezra.
 A-1052865, Wasserman, Benjamin or Bernard Wasserman or Benjamin Wasserman.
 A-5750607, Wayditch, Julia alias Julia Bornyasz Oroszy.
 A-4392874, Whearty, James Patrick or James Wheatley.
 A-6431871, Willman, Philip John Archibald.
 A-4777885, Wilson, Arthur Rutherford.
 A-7799625, Wilson, Walter Allen.
 A-6078139, Wright, Lourdes Dizon.
 A-6757818, Yang, Chao-Chen.
 A-6739338, Yang, Dzing-Tsch Shun.
 A-2963630, Yuelling, Joseph or Yoesef.

MAMIE L. HURLEY

The Senate proceeded to consider the bill (H. R. 594) for the relief of Mamie L. Hurley, which had been reported from the Committee on the Judiciary with an

amendment, at the end of the bill, to change the period to a colon, and insert:

Provided further, That nothing in this act shall be construed as an inference of liability on the part of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MRS. MARION T. SCHWARTZ

The Senate proceeded to consider the bill (H. R. 1169) for the relief of Mrs. Marion T. Schwartz, which had been reported from the Committee on the Judiciary with an amendment, on page 1, in line 6, after the words "sum of," to strike out "\$4,000" and insert "\$1,671."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

FIRST-CITIZENS BANK & TRUST CO., ETC.

The Senate proceeded to consider the joint resolution (S. J. Res. 18) for the relief of the First-Citizens Bank and Trust Co., administrator of the estate of C. A. Ragland, Sr., which had been reported from the Committee on the Judiciary with amendments, on page 2, in line 9, after the word "entitled", to strike out: ", together with interest on such sum at the rate of 6 per centum per annum from August 19, 1938; and (2) the sum of \$1,555.55 representing actual court costs incurred by the said First-Citizens Bank and Trust Company in presenting such claim to the Court of Claims"; and in line 14, after the word "such", to strike out "sums," and insert "sum", so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the First-Citizens Bank & Trust Co., of Raleigh, N. C., as administrator of the estate of C. A. Ragland, Sr., deceased, (1) the sum of \$9,860.35, the amount to which the Court of Claims found the said First-Citizens Bank & Trust Co., entitled, the payment of such sum being in full satisfaction of the claim of the said First-Citizens Bank & Trust Co., against the United States for compensation for work performed by the late C. A. Ragland, Sr., under contracts numbered 1-1P-5554 and 1-1P-5688, on projects 1T1 and 2E2, Shenandoah-Great Smoky Mountains Parkway.

The amendments were agreed to.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the joint resolution?

Mr. McCARRAN. Mr. President, the purpose is to provide for the payment to the First-Citizens Bank & Trust Co., of Raleigh, N. C., as administrator of the estate of C. A. Ragland, Sr., the sum of \$9,860, to which the Court of Claims found the trust company to be entitled, after consideration as authorized by Senate Resolution 256 of the Seventy-eighth Congress.

The matter was before the Seventy-eighth Congress, at which time the parties were authorized to sue in the Court of Claims, and the Court of Claims has approved this judgment.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

ELLEN HUDSON, ADMINISTRATRIX

The Senate proceeded to consider the bill (S. 42) for the relief of Ellen Hudson, as administratrix of the estate of Walter R. Hudson, which has been reported from the Committee on the Judiciary with amendments, on page 1, in line 5, after the name "Ellen Hudson," to insert "of 804 South Verdugo Road, Glendale, California"; and in line 7, after the words "sum of," to strike out "\$15,000" and insert "\$7,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ellen Hudson, of 804 South Verdugo Road, Glendale, Calif., as administratrix of the estate of Walter R. Hudson, deceased, the sum of \$7,500, in full satisfaction of the claim of such estate against the United States for compensation for the death of the said Walter R. Hudson as a result of personal injuries sustained by him when the automobile in which he was riding was struck by a United States Army vehicle, near Pittman, Nev., on April 4, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third, and passed.

BARBARA O'BRIEN FARQUER

The Senate proceeded to consider the bill (S. 408) for the relief of Barbara O'Brien Farquer, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of William E. O'Brien, deceased, late of Detroit, Mich., the sum of \$10,232, in full settlement of all claims of the said estate against the United States on account of the death of the said William E. O'Brien, on November 20, 1943, as a result of injuries sustained when an airplane in which he was sitting was struck by an Army airplane at the Detroit City Airport, Detroit, Mich.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of William E. O'Brien."

BILL PASSED OVER

The bill (S. 526) to provide for the reorganization of Government agencies, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIM OF HARRY W. SHARPLEY, ETC.

The Senate proceeded to consider the bill (H. R. 595) to confer jurisdiction upon the Court of Claims to hear, determine and render judgment upon a certain claim of Harry W. Sharpley, his heirs, administrators, or assigns, against the United States, which had been reported from the Committee on the Judiciary, with an amendment, at the end of the bill to change the period to a colon, and insert:

And provided further, That nothing in this act shall be construed as an inference of liability on the part of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

CARL E. LAWSON AND THE FIREMAN'S FUND INDEMNITY CO.

The Senate proceeded to consider the bill (H. R. 1271) for the relief of Carl E. Lawson and Fireman's Fund Indemnity Co., which had been reported from the Committee on the Judiciary with an amendment, on page 1, in line 6, after the word "California", to strike out "and to pay the sum of \$1,038.79 to the Fireman's Fund Indemnity Co., of San Francisco, Calif."; and in line 11, to strike out "and for reimbursement to the Fireman's Fund Indemnity Co. for expenditures."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time, and passed.

AMENDMENT OF ACT TO REVISE THE ALASKA GAME LAW

The bill (H. R. 220) to amend section 3 of the act entitled "An act to revise the Alaska game law," approved July 1, 1943, as amended (57 Stat. 301), was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION OF SALE OF CERTAIN INDIAN LANDS IN UTAH

The bill (S. 576) to authorize the sale of certain Indian lands situated in Duchesne and Randlett, Utah, and in and adjacent to Myton, Utah, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like to ask for an explanation.

Mr. WATKINS. Mr. President, this bill authorizes the tribal council or tribal business committee of the Ute Indian Tribe, in Utah, located on the Uintah and Ouray Reservation, to sell some lands, within the townsite limits of Duchesne, Randlett, and Myton, Utah, which were set aside some years ago for the Indians when those lands were opened for settlement. The lands were not sold, but later they were turned over to the Indians. The lands are needed now by Myton, Duchesne, and Randlett, Utah, for airport purposes.

This bill authorizes the tribal council or the tribal business committee of the Ute Indians, representing the Indians who are concerned in this matter, to sell the lands on such terms as the tribal committee deems satisfactory, subject to the approval of the Secretary of the Interior or his authorized representative.

The lands probably do not amount to more than 150 or 200 acres, and the value probably does not exceed \$4,000 or \$5,000. In other words, the bill simply authorizes the Indians to dispose of their own property.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, in line 2, after the figure "29", to strike out "lots 1 and 2, the east half", and insert "lot 1 and the northeast quarter"; and in line 6, after the word "meridian" and the period, to insert:

Title shall be conveyed by issuance of patent in fee to the purchaser where approved surveys have been made and, in the absence of such surveys, by deed signed by the chairman and the secretary of said committee and approved by the Secretary of the Interior or his authorized representative.

So as to make the bill read:

Be it enacted, etc., That the Uintah and Ouray tribal business committee of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah for and on behalf of said tribe is hereby authorized, subject to the approval of the Secretary of the Interior or his authorized representative, to sell and convey to any purchaser deemed satisfactory to said committee any of the lands of said tribe situated within the town-site limits of Duchesne, Randlett, and Myton, Utah, and any of the following-described lands situated adjacent to the town site of Myton, Utah, to wit, the north half of the northwest quarter of section 29; lot 1 and the northeast quarter of the northwest quarter and the northeast quarter of section 30; the southwest quarter of the southwest quarter or lot 4 of section 19, of township 3 south, range 1 west, of the Uintah special meridian. Title shall be conveyed by issuance of patent in fee to the purchaser where approved surveys have been made and, in the absence of such surveys, by deed signed by the chairman and the secretary of said committee and approved by the Secretary of the Interior or his authorized representative.

All such sales shall be made upon such terms as said committee shall deem satisfactory and may be made pursuant to bids or at private sale and all funds derived from

such sales shall be subject to disposition of said tribe.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHILDREN BORN OUT OF WEDLOCK

The bill (S. 1122) relating to children born out of wedlock was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LANGER. Mr. President, may we have an explanation of the bill?

Mr. McCARTHY. Mr. President, the enactment of this bill has been requested by the District of Columbia Bar Association, the officials of the District of Columbia Juvenile Court, and the District of Columbia Welfare Agency. They feel that enactment of the bill is necessary.

The bill has to do largely with the procedure in illegitimacy actions. It provides, for example, for an increase from 14 to 16 years, as respects the age at which the support of minor children shall cease—in other words, an increase of 2 years.

It also provides that the mother may bring action, even if not a resident of the District of Columbia, so long as the father is a resident of the District of Columbia.

The bill further provides for extradition, but only in case the parentage is either admitted or proved.

It also provides what some of us thought was a rather unusual and drastic step, something which is not provided in my State, certainly, namely, a provision to the effect that a mother may sue someone other than her husband for the support of an illegitimate child. Normally, as the Senators know, if a child is born in lawful wedlock it is presumed to be legitimate, and no action can be brought against some other man for support of the child. Because of that provision we held up consideration of the bill for some time.

I have been contacted by practically every welfare agency in Washington, by some of the officers of the juvenile court, and especially by Miss Rita Morris, who is chairman of the committee on relations with the juvenile court of the District of Columbia Bar Association. They have told me that in the District there exists an unusual situation which justifies the additional provision. I am told there is an almost unlimited number of cases where, the lawful husband having left, the wife, who may not believe in divorce, is apparently living with someone as her common-law husband. After three or four or five children have been born he may leave, and under the present law those children become a burden upon the District. I understand from talking to various people that the burden thus imposed upon the District is very heavy; that it is unnecessary, and can be remedied to a great extent by means of the pending bill.

The bill also provides a number of other things, such as proper legitimiza-

tion of a child born of unlawful wedlock, and many other minor details. I might say we have amended the bill substantially since it was submitted to us by the bar committee.

Mr. LANGER. May I ask the Senator if there is any provision in the bill whereby an illegitimate child, recognized in writing by the father, can inherit equally with another child?

Mr. McCARTHY. The father may adopt the child, but if he does not do so, there is no such provision in the present law, as I understand, and there is none in the pending bill. I may be in error about that. The Senator will understand I am not an authority on District law. I must depend largely upon our staff and upon the local bar association. I do not believe there is anything in the present District law to provide that such a child shall inherit, unless he is adopted. However, the bill does provide for the adoption of such child and the issuance of a certificate of legitimacy.

Mr. LANGER. But there is no provision, even though the court finds that a certain man fathered the child, and even though the father recognizes him, whereby the child may inherit; is that correct?

Mr. McCARTHY. This is a common-law jurisdiction, as the Senator knows, and the child normally inherits through the mother. I must admit I am no authority on the matter. The committee's counsel tells me the child would inherit through the mother, in such a case, but not otherwise. In other words, let us assume the father and mother have never married. If the father admits in writing, or if the court determines, that he is the father of the illegitimate child, under those circumstances I understand there is no provision for inheritance.

Mr. LANGER. I may say to the Senator that in a great many States, where the father recognizes the child, the child inherits. I wondered why the committee did not include such a provision in the pending bill.

Mr. McCARTHY. Frankly, the committee did not discuss that provision at all, and I doubt whether it would be proper. The committee could not very well do what the Senator suggests in drafting this proposed legislation, which is more or less a bill to provide quasi-criminal procedure for bringing a father back and making him support the child, and providing a method of starting a lawsuit. We did not try to do anything such as the Senator suggests. I am sure, if the Senator from North Dakota should care to introduce such a bill, it would be carefully scrutinized. In an offhand way, I may say I am inclined to think I should support such a measure. If a father admits the child is his, or if a court has found it is his, I can see no objection at all to providing that the child shall inherit.

Mr. LANGER. I thank the Senator.

Mr. McCARTHY. I say, if the Senator should introduce such a bill, my present inclination would be to favor it.

Mr. LANGER. I shall be pleased to prepare such a bill, and I will show it to

the distinguished Senator from Wisconsin.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1122) relating to children born out of wedlock, which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 18, after the word "evidence", to insert "to impeach the complaining witness"; on page 4, line 22, to strike out "complainant" and insert "mother"; on page 7, line 11, after the word "discretion", to insert "after notice by registered mail to the defendant at his last-known address, and after hearing,"; and in line 15, after the word "empowered", to insert "after such notice and hearing"; and on page 10, after line 5, to strike out: "Sec. 15. (a) Marriage of natural parents; legitimacy. Any child heretofore or hereafter born out of wedlock shall be legitimated by the intermarriage of his natural parents. A child so legitimated shall be entitled to the same rights and privileges which he would have enjoyed if born after marriage, his status being the same as if he were born in wedlock."; in line 13, to strike out "(b) NEW BIRTH RECORD" and insert "SEC. 15. NEW BIRTH RECORD UPON MARRIAGE OF NATURAL PARENTS."; in line 17, after the word "parents", to insert "of an illegitimate child"; and in line 18, before the word "child", strike out "the" and insert "said", and after the word "child", insert "and paternity of the child has been judicially determined or acknowledged by the husband before the Health Officer of the District of Columbia", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide for the support and maintenance of bastards in the District of Columbia," approved June 18, 1912 (37 Stat. 134), as amended February 22, 1921 (41 Stat. 1144), and March 16, 1926 (44 Stat. 208), be, and the same is hereby, repealed.

SEC. 2. Title: This act may be cited as "An Act Relating to Children Born Out of Wedlock."

SEC. 3. Jurisdiction: The juvenile court of the District of Columbia is hereby given jurisdiction of all cases arising under this act. Proceedings shall be instituted in the name of the District of Columbia and prosecution upon information shall be by the Corporation Counsel for the District of Columbia or any of his assistants.

SEC. 4. Time of bringing complaint: Proceedings to establish paternity and provide for the support of a child born out of wedlock may be instituted after 4 months of pregnancy or within 2 years after the birth of the child, or within 1 year after the putative father has ceased making contributions for the support of such child: *Provided, however,* That the time during which the defendant shall be absent from the jurisdiction shall be excluded from the computation of the time within which complaint may be filed.

SEC. 5. Complaint: Any unmarried woman who is at least 4 months pregnant or who has been delivered of a child born out of wedlock, or any married woman who is at least 4 months pregnant with a child, which if born alive, may be born out of wedlock, or who has been delivered of a child born out of wedlock and who was not living with nor cohabiting with her husband during the period of time in which such child could have been con-

ceived, may go before an Assistant Corporation Counsel for the District of Columbia at the juvenile court and accuse any man of being the father of her child and request his arrest. In case of death, disability, or incompetence of the mother, the complaint may be made by the custodian, guardian, or next friend of the child. The complainant shall be examined under oath by an Assistant Corporation Counsel concerning the married or single status of the mother when the child was begotten, when and where it was born, if born, and such other information as may be deemed necessary or pertinent for testing the truth of the accusation. If, upon examination, there appears reasonable cause to believe that the woman is at least 4 months pregnant or that the child, if born, is within the age limits provided in this act, or that the putative father has ceased making contribution for the support of such child within 1 year from the time of making complaint, and reasonable cause to believe that the accused person is the father thereof, the complaint shall be reduced to writing by such officer, verified by the complainant, and filed with the clerk of the court; and such verified complaint may be introduced in evidence to impeach the complaining witness in any subsequent proceedings therein.

SEC. 6. Apprehension of accused: Upon the filing of the complaint, the case shall be calendared forthwith for preliminary hearing. The clerk of the court shall issue a summons requiring the accused to appear in court on a day certain for such purpose, or, if deemed necessary, a warrant for the arrest of the defendant shall be issued, directed to the United States marshal or the Major and Superintendent or any member of the Metropolitan Police Department of the District of Columbia, requiring the accused to be arrested and brought before the court.

SEC. 7. Bond; commitment on failure to give bond; jury trial: The court may require the accused to enter into bond with surety in a sum not to exceed \$2,500, guaranteeing his appearance on the date set for hearing or trial. If the defendant shall fail to appear, the security for his appearance shall be forfeited and shall be applied toward the support of the child if so ordered by the court. If the defendant shall fail to post bond fixed by the court he shall forthwith be committed to the Washington Asylum and Jail, there to remain until the date set for hearing, or until he enter into the required bond or otherwise be discharged by due process of law. In all prosecutions under this act the defendant shall be entitled to, but may waive, trial by jury. In no event, however, shall final hearing take place until after the birth of the child.

SEC. 8. Blood tests: Whenever it is relevant to the prosecution or defense of an illegitimacy action, the court may, in its discretion, direct that the complainant, mother, child, and the defendant submit to one or more blood tests to determine whether or not the defendant can be excluded as being the father of the child, but the results of the test shall be admissible only in cases where defendant does not object to its admissibility.

SEC. 9. Exclusion of public: Upon trial of proceedings under this act, the court shall exclude the general public at the request of either party.

SEC. 10. (a) Judgement; prenatal and confinement expenses; maintenance: If the defendant, in open court, shall acknowledge the paternity of a child born out of wedlock, or if at the trial the finding of the court or jury be against the defendant, the court in rendering judgment thereon may enter an order for the payment of the prenatal medical care and costs of the mother's confinement and expenses of childbirth in such amount or amounts as it may deem reasonable, commensurate with the defendant's

ability to pay. The court shall also order the payment of annual amounts, equal or varying, for the maintenance and education of the child, commensurate with defendant's ability to pay, such payments to be made at such periods or intervals as the court directs. The court, in its discretion, may order payments to be made by the defendant at the precinct wherein he resides through the Metropolitan Police Department of the District of Columbia. Payments shall continue until the child reaches the age of 16 years unless the child prior thereto be legally adopted.

(b) Petition for modification of judgment; hearing: The court may from time to time, upon petition of any party in interest, change or modify its order directing the amount that defendant shall pay for the maintenance and support of the child. Hearing on such petition shall be held not less than 10 days following notice in writing by the clerk of the court to the parties in interest, mailed to or left at their last known place of residence.

(c) Death of child: In case of the death of the child before reaching the age of 16 years, the court, upon proof thereof, may order the payment of reasonable funeral expenses, and shall terminate the order for maintenance; and any arrears which may be owing at the time of death may, in the discretion of the court, be canceled.

SEC. 11. (a) Performance bond; commitment; probation: The court may require the defendant to give security not to exceed \$2,500 guaranteeing payments ordered by the court. The court may, however, in its discretion, suspend the requirement of security and place the defendant on probation to the court on condition that payments be made as ordered. In default of payments as ordered, the court may commit the defendant to jail for a period of not more than 1 year. At the expiration of the term of commitment the defendant may be discharged, but his liability to make subsequent payments or any payments in arrears in accordance with the judgment shall not thereby be affected. In lieu of commitment or as a condition of his release from jail, the court may suspend sentence and place the defendant on probation upon such terms as the court may direct. The amount of security, if forfeited, shall be disbursed as the court, in its discretion, may direct.

(b) Judgment; execution: In event of default of payments as ordered, the court may, in its discretion, after notice by registered mail to the defendant at his last-known address, and after hearing, reduce the amount of arrears to judgment. The Juvenile Court of the District of Columbia is hereby empowered after such notice and hearing to reduce to judgment the arrears under any order hereafter entered for the support and maintenance of a child born out of wedlock, or for any amounts provided to be paid by the defendant under any section or sections of this act, and when docketed in the clerk's office of the United States District Court for the District of Columbia such judgment shall have the same force and effect as judgments of the United States District Court for the District of Columbia, and execution thereon may be effected in the same manner as upon judgments of the said district court.

SEC. 12. Voluntary acknowledgement of paternity by father: The putative father of a child born out of wedlock may enter into an agreement with the mother of the child, or with some other person on behalf of the child, for the support and maintenance of said child, and said agreement may be submitted at any time to the court for ratification and approval. When said agreement is ratified and approved, the court shall issue an order incorporating the terms thereof, the payments thereunder may be received and

disbursed by the court in the same manner as provided in section 13 of this act. The faithful performance under the terms of said agreement shall bar other remedies of the mother or any other person on behalf of the child for the support of the child, subject to the provisions of section 10 (b) of this act.

SEC. 13. (a) Concurrent jurisdiction in nonsupport cases: The Juvenile Court of the District of Columbia is hereby given concurrent jurisdiction with the United States District Court for the District of Columbia in all cases arising under the act of Congress of March 23, 1906 (34 Stat. 86), as amended June 18, 1912 (37 Stat. 136), and June 10, 1926 (44 Stat. 716) (title 22, sec. 903, of the D. C. Code, 1940 edition), and the court, in its discretion, may order payments to be made by the defendant at the precinct wherein he resides, through the Metropolitan Police Department of the District of Columbia.

(b) Failure to support illegitimate child; misdemeanor: The provisions of the said act of Congress of March 23, 1906 (34 Stat. 86), as amended, making it a misdemeanor to abandon or willfully neglect to provide for the support and maintenance of minor children in destitute or necessitous circumstances, shall also apply to any person who abandons or fails to support his illegitimate child when paternity has been established judicially or when paternity has been directly acknowledged by the putative father under oath, or indirectly acknowledged by voluntarily making contributions to the support of such child.

(c) Voluntary contributions for support: The juvenile court of the District of Columbia is hereby authorized to approve voluntary agreements for the support and maintenance of wife or minor children and to accept payments made pursuant thereto and disburse the same to the person or persons for whom such contributions are paid, in the same manner as payments are accepted and disbursed under the provisions of the act of Congress of March 23, 1906 (34 Stat. 86), as amended.

SEC. 14. Liability of the father's estate: In the event of the death of the defendant after paternity has been established and prior to the time the child reaches the age of 16 years, any sum or sums due and unpaid under any order of the court at the time of defendant's death shall be a valid claim against the defendant's estate.

SEC. 15. New birth record upon marriage of natural parents: Whenever a certified copy of a marriage certificate is submitted to the Health Officer of the District of Columbia establishing that the previously unwed parents of an illegitimate child have intermarried subsequent to the birth of said child and paternity of the child has been judicially determined or acknowledged by the husband before the Health Officer of the District of Columbia, a new certificate of birth, bearing the original date of birth and the names of both parents, shall be issued and substituted for the certificate of birth then on file. The original certificate of birth and all papers pertaining to the issuance of the new certificate shall be placed under seal, and opened for inspection only upon order of the United States District Court for the District of Columbia.

SEC. 16. (a) Reports to Bureau of Vital Statistics: Upon entry of a final judgment determining the paternity of a child born out of wedlock, the clerk of the court shall forward a certificate to the bureau of vital statistics of the jurisdiction in which the child was born, giving the name of the person adjudged to be the father of said child.

(b) Upon receipt of the certificate as provided in section 16 (a) hereof, the Health Officer of the District of Columbia shall file said certificate with the original birth record, and thereafter may issue a certificate of birth registration including thereon the name of

the person adjudged to be the father of said child.

SEC. 17. Records: None of the records or proceedings in any case arising under this act shall be open to inspection by anyone other than defendant or counsel of record except upon order of the court. The court, upon proper showing may, in its discretion, authorize the clerk to furnish certified copies of any such records or portions thereof to the defendant, the mother, or custodian of the child, any party in interest, or their duly authorized attorneys, and the clerk is hereby authorized to furnish certified copies of such records or portions thereof upon request to the United States attorney for the District of Columbia for use as evidence in nonsupport proceedings as provided in section 13 of this act.

SEC. 18. Construction of statute; appropriations: This act shall be so interpreted as to effectuate the protection and welfare of the child involved in any proceedings hereunder, and appropriations to carry out the purposes of this act are hereby authorized.

SEC. 19. Constitutionality: If any section, subdivision, or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this act.

Mr. McCARTHY. Mr. President, I should like merely to add a word or two for the benefit of the Senator from Maryland. I may say this was not my legislation. The bill was introduced by the Senator from Rhode Island [Mr. McCGRATH]. I merely reported it favorably, not because I was considered an authority on the factual situation, but only from a legal standpoint.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISCLOSURES RELATING TO UNITED STATES CODES AND COMMUNICATIONS INTELLIGENCE ACTIVITIES

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that the Senate revert to Calendar 91, Senate bill 277.

The PRESIDING OFFICER. The title of the bill will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communication intelligence activities of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 277), which had been reported from the Committee on Armed Services, with amendments, on page 1, line 3, after the word "shall", to insert "knowingly and willfully"; on page 2, at the end of line 8, strike out "the United States or"; and in line 9, after the word "government", to insert "knowing the same to have been obtained by such processes", so as to make the bill read:

Be it enacted, etc., That whoever shall knowingly and willfully communicate, furnish, transmit, or otherwise make available to an unauthorized person, or publish, or use

in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States any classified information (1) concerning the nature, preparation, or use of any code, cipher, or cryptographic system of the United States or any foreign government; or (2) concerning the design, construction, use, maintenance, or repair of any device, apparatus, or appliance used or prepared or planned for use by the United States or any foreign government for cryptographic or communication intelligence purposes; or (3) concerning the communication intelligence activities of the United States or any foreign government; or (4) obtained by the processes of communication intelligence from the communications of any foreign government knowing the same to have been obtained by such processes, shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both.

SEC. 2. (a) The term "classified information" as used herein shall be construed to mean information which, at the time of a violation under this act, is, for reasons of national security, specifically designated by a United States Government agency for limited or restricted dissemination or distribution.

(b) The terms "code," "cipher," and "cryptographic system" as used herein shall be construed to include in their meanings, in addition to their usual meanings, any method of secret writing and any mechanical or electrical device or method used for the purpose of disguising or concealing the contents, significance, or meanings of communications.

(c) The term "foreign government" as used herein shall be construed to include in its meaning any person or persons acting or purporting to act for or on behalf of any faction, party, department, agency, bureau, or military force of or within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States.

(d) The term "communication intelligence" as used herein shall be construed to mean all procedures and methods used in the interception of communications and the obtaining of information from such communications by other than the intended recipients.

(e) The term "unauthorized person" as used herein shall be construed to mean any person who, or agency which, is not authorized to receive information of the categories set forth in section 1 of this act, by the President, or by the head of a department or agency of the United States Government which is expressly designated by the President to engage in communication intelligence activities for the United States.

SEC. 3. Nothing in this act shall prohibit the furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives of the United States of America, or joint committee thereof.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1418) to amend an act entitled "An act to incorporate the Washington Gas Light Co., and for other purposes," was announced as next in order.

The VICE PRESIDENT. In there objection to the present consideration of the bill?

Mr. TYDINGS. Mr. President, the senior Senator from Virginia [Mr. BYRD]

asks that I make objection in his name; which I do.

Mr. BYRD. I thank the Senator.

The VICE PRESIDENT. On objection, the bill is passed over.

YUMA AUXILIARY PROJECT, ARIZONA

The bill (S. 690) to authorize the furnishing of water to the Yuma auxiliary project, Arizona, through the works of the Gila project, Arizona, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. McCARRAN. I object.

The VICE PRESIDENT. On objection, the bill will be passed over. That completes the calendar.

Mr. McCARRAN subsequently said: Mr. President, I objected to the consideration of Calendar No. 221, Senate bill 690. Since that time an explanation has been given me by the able Senator from Arizona [Mr. McFARLAND], and I desire to withdraw my objection.

The VICE PRESIDENT. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 690) to authorize the furnishing of water to the Yuma auxiliary project, Arizona, through the works of the Gila project, Arizona, and for other purposes.

Mr. WHERRY. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Arizona if he will give us an explanation of the bill.

Mr. McFARLAND. Mr. President, the bill merely transfers the irrigation of 3,000 acres of land from one project to another. The land is already being irrigated by the Yuma project. By transferring it to the Gila project it will save a pump lift of approximately 20 feet. The water has to be pumped 72 feet, and by transferring it to the other project, the land can be irrigated with water lifted only 52 feet.

Mr. WHERRY. I am not familiar with the hearings, and I should like to ask the distinguished Senator if there was any objection in the hearing at all.

Mr. McFARLAND. There was no objection.

Mr. WHERRY. Was the bill unanimously approved?

Mr. McFARLAND. It was.

Mr. WHERRY. There are no amendments to the bill, are there?

Mr. McFARLAND. There is one amendment.

Mr. WHERRY. Does it run to the substance of the bill?

Mr. McFARLAND. As I understand, it is in the nature of a clarifying amendment which carries out the intent and purpose of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 690) to authorize the furnishing of water to the Yuma auxiliary project, Arizona, through the works of the Gila project, Arizona, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment,

on page 6, beginning in line 21, to insert: "and such costs, less applicable credits, shall not be repayable to the United States: *And provided further*,".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all lands heretofore withdrawn under the reclamation law in connection with the Yuma project and set apart or otherwise dealt with as an auxiliary project under the provisions of the act of January 25, 1917 (39 Stat. 868), as amended, are hereby severed from said auxiliary project, except those lands in the first Mesa unit of said auxiliary project which are north of the south line of the north half of the north half of the north half of sections 17 and 18, and north of the south line of the southwest quarter of the southwest quarter of section 9, township 10 south, range 23 west, Gila and Salt River base and meridian, which lands henceforth shall constitute the entire area of the Yuma auxiliary project. After application of the payments as provided in section 3 hereof, no costs heretofore allocated or charges heretofore assigned to the lands hereby severed from said auxiliary project shall be repayable to the United States.

SEC. 2. For a period of 5 years from the date of enactment of this act the owners of land with appurtenant water rights severed from the Yuma auxiliary project pursuant to the first section, the titles to which are deemed satisfactory by the Secretary of the Interior (hereinafter referred to as the Secretary) may exchange the same, acre for acre, for public lands and water rights within the Yuma auxiliary project as herein limited: *Provided*, That if any tract contains any fractional acreage, the area shall be computed to the nearest acre: *Provided further*, That such privilege of exchange shall be subject to the sale or other disposition or use by the United States of any of such public lands prior to the time an application for the exchange thereof shall have been made.

SEC. 3. The proportionate part of all payments heretofore made under the contract dated October 23, 1918, between the United States and Imperial Irrigation district, of California, which, under the act of June 28, 1926 (44 Stat. 776), as amended, would have been applicable as a credit to the public lands of the United States severed from the Yuma auxiliary project pursuant to the provisions of the first section of this act, shall be applied as of the date of enactment of this act to offset that portion of the cost, originally allocated to such lands, of those facilities previously constructed to be used jointly for the furnishing of water to the lands of the Yuma project and the Yuma auxiliary project.

SEC. 4. (a) The Secretary is hereby authorized to negotiate and enter into a suitable contract with an organization, as defined in section 2 (g) of the Reclamation Project Act of 1939, as amended, satisfactory in form and powers to him, representing the water users of the Yuma auxiliary project as herein limited (hereafter referred to as the organization), for the repayment of certain costs in connection with the construction of works to enable the said project to obtain delivery of water appurtenant to the lands of its water users through the works of the Gila project; to carry such water through the works of the Gila project instead of the Yuma project when additional works for the purpose shall have been completed; and to extend and improve the existing distribution system of the Yuma auxiliary project so as more adequately to supply the needs of the water users. The contract, among other things, shall provide for the assumption of

liability by the organization for (1) the repayment of the cost of the additional works necessary to supply water to the Yuma auxiliary project through the works of the Gila project, together with an appropriate share of the cost of works common to the Gila project and the Yuma auxiliary project; (2) the repayment of the cost of extending and improving the Yuma auxiliary project distribution system; (3) the payment annually in advance of estimated charges for the operation and maintenance of the works of the Yuma auxiliary project and an appropriate share of the estimated charges for the operation and maintenance of the works common to the Yuma auxiliary project and the Gila project. The general repayment obligation of any organization entering into such contract covering the repayment of the construction, extension, and improvement costs herein enumerated may be spread in annual installments, without the payment of interest, over such reasonable period, not exceeding 60 years, as the Secretary may determine: *Provided, however*, That repayment of costs allocated on a per acre basis to lands not under water-right application under the act of January 25, 1917 (39 Stat. 868), as amended, and the joint resolution of February 21, 1925 (43 Stat. 962), on the date of the contract may be deferred until after water-right application has been made: *Provided further*, That the liability of the organization with respect to the costs allocated to such lands shall be suspended upon the cancellation of any water-right application as to any payments for the calendar year following such cancellation, and shall remain suspended until a new water-right application shall have been made. The contract may provide for the appointment of the organization as fiscal agent of the United States for the purpose of collecting any sums of money which may become due the United States with respect to land and water rights or water-right applications under the act of January 25, 1917, as amended, and the joint resolution of February 21, 1925, and shall provide that payments made to the organization or any of its representatives for any purpose by any land and water right or water-right applicant shall not be applied to any tax or assessment of the organization if any obligations payable to the United States under the act of January 25, 1917, as amended, or the joint resolution of February 21, 1925, remain due and unpaid. Such contract shall further provide that any lien held by the organization on lands covered by any land and water right or water-right application shall be inferior to the rights of the United States with respect to charges upon such lands under the act of January 25, 1917, as amended, or the joint resolution of February 21, 1925, and to the lien thereon reserved by the United States pursuant to section 5 (b) of this act.

(b) Upon the execution of a satisfactory contract pursuant to subsection (a), subject to the availability of funds therefor, the Secretary is authorized to proceed with such construction, extensions, and improvements as may be necessary to effectuate the purpose of such contract.

SEC. 5. (a) After a contract shall have been executed pursuant to section 4, land and water rights in the Yuma auxiliary project may be sold at private sale, pursuant to the provisions of the act of January 25, 1917 (39 Stat. 868), as amended, and the joint resolution of February 21, 1925 (43 Stat. 962), for a purchase price of not less than (1) \$32 per acre for the land and (2) a sum for the water right consisting of not less than \$160 per acre for the cost of the reclamation works previously constructed exclusively for the Yuma auxiliary project. Such purchase price shall be in addition to any charges or assessments which may be levied by the organization to pay for the per acre construction, extension, and improvement costs allocable to

such land under any contract executed pursuant to section 4 of this act: *Provided*, That said purchase price shall not include any part of the cost of works of the Yuma project and such costs, less applicable credits, shall not be repayable to the United States: *And provided further*, That after a contract shall have been executed pursuant to section 4 and water is ready for delivery to the Yuma auxiliary project through the works of the Gila project, the water users of the Yuma auxiliary project shall cease to be liable for any charges for the operation and maintenance of the Yuma project, except such charges as may then be due and unpaid.

(b) To insure payment of any sums due or which may become due to the United States under land and water right or water-right applications under the act of January 25, 1917, as amended, and the joint resolution of February 21, 1925, the United States, as of the date of the application, shall have a lien for the entire amount of its charges which shall be prior to all other liens, mortgages, claims, or interests whatsoever. Upon default of payment of any amount so due, the United States is empowered to declare the whole of the unaccrued portion of the charges due and payable and may file suit to foreclose the lien for all accrued charges in any court of competent jurisdiction and sell said land to satisfy the obligation due the United States. This remedy, however, shall not be exclusive.

SEC. 6. All provisions of the act of January 15, 1917 (39 Stat. 868), as amended, and the joint resolution of February 21, 1925 (43 Stat. 962), not inconsistent with the provisions of this act shall remain in full force and effect.

SEC. 7. After a contract shall have been executed pursuant to section 4 and water is ready for delivery to the Yuma auxiliary project through the works of the Gila project, the Secretary is hereby authorized to dismantle the existing B-lift pumping plant of the Yuma auxiliary project and to dispose of any salable parts thereof, either by public or private sale. All moneys realized from the sale of such parts shall be paid into the reclamation fund and credit therefor shall be given to the organization representing the water users of the Yuma auxiliary project toward the construction costs assumed by it pursuant to such contract.

SEC. 8. There are hereby authorized to be appropriated such sums as may be required for the purposes of this act.

CLAIMS UNDER TRADING WITH THE ENEMY ACT

Mr. McCARRAN. Mr. President, I ask unanimous consent that the Senate proceed to consider Senate bill 729. If the bill requires more than 4 or 5 minutes, I shall withdraw my request.

The bill has been reported today from the Committee on the Judiciary, and for that reason is not on the calendar. The time within which it should operate will expire on the last day of this month. Therefore I deem it necessary that the Senate act promptly on the bill.

The purpose of the bill is further to extend the time within which claims may be filed for return of any property or interest acquired by the United States on or after December 18, 1941. It involves persons who have claims for the return of property which is vested in the Alien Property Custodian. A similar extension was passed by the Eightieth Congress, and at that time it was thought to be sufficient to permit all those who might have claims to file them. If the time is not extended in this instance, there will be quite a number of persons

who have legitimate claims to be filed before the Alien Property Custodian whose time will expire very soon, and the claimants will therefore be deprived of the right of filing perhaps legitimate claims.

If the bill takes up any considerable length of time I shall not insist on action, but I hope that the bill may be considered for the next 2 or 3 minutes.

The VICE PRESIDENT. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 729) to amend the Trading With the Enemy Act, so as to extend the time within which claims may be filed for return of any property or interest acquired by the United States on or after December 18, 1941.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 5, to strike out "in the first sentence of" and to insert in lieu thereof "wherever it appears in".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 33 of the Trading With the Enemy Act (40 Stat. 411), as amended, is hereby further amended by striking out "April 30, 1949" wherever it appears in such section and inserting in lieu thereof "April 30, 1950".

FIRST DEFICIENCY APPROPRIATION ACT, 1949

Mr. McKELLAR. Mr. President, I ask that the Senate resume the consideration of House bill 2632, the First Deficiency Appropriation Act, 1949.

Mr. WHERRY. Mr. President, I should like to ask the distinguished Senator from Tennessee if he does not feel we would save time if I should suggest the absence of a quorum?

Mr. McKELLAR. There are quite a number of Senators present.

Mr. WHERRY. There are several Senators who wanted to be informed when the bill came up.

The VICE PRESIDENT. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Holland	Murray
Anderson	Hunt	Neely
Bricker	Ives	O'Connor
Bridges	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Robertson
Chapman	Johnston, S. C.	Schoeppel
Chavez	Kerr	Smith, Maine
Cordon	Knowland	Sparkman
Donnell	Langer	Stennis
Downey	Lodge	Taft
Eastland	Long	Taylor
Eaton	Lucas	Thomas, Utah
Ferguson	McFarland	Thye
Flanders	McGrath	Tobey
Frear	McKellar	Tydings
Fulbright	Magnuson	Vandenberg
Green	Malone	Watkins
Gurney	Martin	Wherry
Hayden	Maybank	Wiley
Hendrickson	Miller	Williams
Hill	Morse	Withers
Hoey	Mundt	Young

The VICE PRESIDENT. A quorum is present.

Mr. McKELLAR. Mr. President, I announce that the following Senators are detained at a meeting of a subcommittee of the Committee on Appropriations considering the civil-functions bill, which committee has permission to sit during the session of the Senate: The senior Senator from Louisiana [Mr. ELLENDER], the junior Senator from Louisiana [Mr. LONG], the Senator from Oklahoma [Mr. THOMAS], and the senior Senator from Arkansas [Mr. McCLELLAN].

I also announce that the Senator from Georgia [Mr. GEORGE] is detained in a meeting of the Committee on Finance, over which he is presiding. The Committee on Finance has permission to sit during the session this afternoon.

The VICE PRESIDENT. The clerk will state the first amendment of the Committee on Appropriations.

Mr. McKELLAR. Mr. President, before that is done I desire to make a short statement concerning the bill. It came from the House of Representatives containing a total appropriation of slightly less than \$472,000,000. Budget estimates of about \$90,000,000 more were sent to the Senate. The Senate did not allow all the \$90,000,000, but, as the result of the budget estimate, allowed additional \$53,000,000.

In addition to that, several other items were allowed. One was for the Choctaw and Chickasaw Indians. The committee felt a debt was owed to those Indians, and the amount of \$8,359,000 was added for the Indians.

Furthermore there were restorations of reductions made by the House to the amount of \$4,140,000.

For the legislative branch the committee added \$43,725. This was for widows of deceased Members, furniture, postage, and other miscellaneous items.

For the Joint Committee on Nonessential Federal Expenditures we added \$20,000.

For the Bureau of Indian Affairs, for Indians of Arizona and New Mexico, we added \$550,000.

For the care of tubercular Indians in Minnesota we added \$50,000.

For improvement of a small-boat harbor at Havre de Grace, Md., we allowed \$9,000.

That makes a total of remaining increase by the Senate committee of \$13,181,725.

Respecting the entire bill as it comes from the committee, there are two items of difference. The first is a difference in an item which the House put in the bill in reference to the employment in the Bureau of Reclamation of Messrs. Straus and Boke. The Senator from California [Mr. DOWNEY] presented an amendment dealing with that matter. The Senator has told me, however, that he will put that item in a legislative bill, so that question is not now before the Senate.

The other question, which is the principal one in dispute, has to do with an amendment which was presented by the Senator from Michigan [Mr. FERGUSON] to what is known as the New Johnsonville steam plant appropriation in the Tennessee Valley Authority. The New

Johnsonville steam plant will cost according to the budget estimate, \$3,000,000. The House appropriated \$2,500,000 for that plant. The Senate committee recommended \$2,500,000 for the plant. The Senator from Michigan offered an amendment providing that any taxpayer or consumer of electric energy may go before a court of three judges in the District of Columbia and test the constitutionality of the TVA Act.

I desire to say a word about that before I take my seat. The question of the constitutionality of the TVA and its operations was brought before the Supreme Court of the United States in what is known as the case of *Ashwander et al. against Tennessee Valley Authority et al.*, Two Hundred and Ninety-seventh United States Reports. I believe the case came before the Court in 1939, or perhaps it was 1940. It was brought out in that case, as will be recalled, that the TVA bought from the Alabama Power Co. its transmission wires and electric system, including a steam plant, by the way. Remember, that the purchase included a steam plant. All that matter was brought before the Court. I cannot say that the question of the steam plant was actually passed upon directly, but the Court found that the TVA had bought the transmission and distributing system from the Alabama Power Co., including the steam plant, and including various other things.

Chief Justice Hughes rendered the opinion of the Court. In that opinion the Court upheld the constitutionality of the Tennessee Valley Authority Act, and it upheld the purchase by the Authority of the area of distribution, the distribution lines, and all the other properties which were included in that purchase. The purchase was a considerable one. Mr. Chief Justice Hughes in that opinion said:

The question here is simply as to the acquisition of the transmission lines as a facility for the disposal of that energy.

The Court held that the United States, having embarked in a constitutional venture, and the current having been generated by a Tennessee Valley Authority dam, the United States had the authority, through the Tennessee Valley Authority, to acquire such lines and such materials as wires and other distribution means as would enable it to sell the power to the best advantage.

That is all that is sought to be done by the provision in question. The Tennessee Valley Authority already has acquired a number of steam plants at other places. It owns a number of them, largely by purchase, however. But as between the purchase of such steam plants and the building of them there certainly cannot be raised a constitutional question, in my judgment. That, however, is neither here nor there.

Last year a similar measure came before the Senate, and then, as Senators will remember, a witness testified as to the unconstitutionality of the act. His name was Smith. It turned out that he was an agent of the power companies, drawing the nifty little salary of \$65,000

a year. He testified, as appears on page 262 of the record of last year's hearings:

My salary is \$65,000 a year by contract.

He lost, so far as the Senate was concerned. This year the private companies have brought in another man. If my memory serves me right, his name is Jackson. Mr. Jackson is a very celebrated constitutional lawyer of Cleveland, Ohio. He made exactly the same arguments Mr. Smith made the year before. The Senate did not approve of the argument a year ago and I hope the Senate will not approve of similar arguments this year. As a matter of fact, to my mind, it is perfectly clear that the real purpose of these agents of the private power companies is to bring about a lawsuit respecting the matter, which would probably delay the building of the steam plant for some time.

The purpose of a steam plant is to accomplish what is known in power parlance as "firming up the power." We cannot always tell about the flow of water. We cannot always be assured that the flow of water will generate a certain standard amount of power which can be sold to the best advantage. But with the steam plant added to the water plant, we can always furnish a determined amount of power to those to whom the power is sold. In other words, the Government can then sell power to the best advantage.

I should like to read what Mr. Justice Hughes said on this question, in delivering the opinion of the Supreme Court:

We come, then, to the question as to the validity of the method which has been adopted in disposing of the surplus energy generated at the Wilson Dam.

That is on the Tennessee River.

The constitutional provision is silent as to the method of disposing of property belonging to the United States. That method, of course, must be an appropriate means of disposition, according to the nature of the property, it must be one adopted in the public interest, as distinguished from private or personal ends, and we may assume that it must be consistent with the foundation principles of our dual system of government, and must not be contrived to govern the concerns reserved to the States.

As applied to this particular question, that language means this: The Government owns the water power; it should sell it to the best advantage; it can get more money for it by having a steam plant to firm up the power, so as to produce a regular flow of power to the customers. For that reason I do not believe we should insert a provision inviting any taxpayer to bring a suit in the Federal court in Washington—not in Tennessee or Alabama, where this project is situated, but in Washington, D. C. First, of course, it is legislation. In the next place, it is for the purpose of litigating so as to prevent the installation of the power.

We already have the power there. Whether it was right or wrong, that is a question which is past and gone. The project has been established. It is a fine piece of property, bringing the Government a good income. It is being success-

fully managed at this time, and I hope will continue to be successfully managed. Surely we ought not to insert a provision which would tie up, perhaps for years, the building of the steam plant for the purpose of disposing of this power in the best possible way and in the interest of the Government.

That is the only question that is now before us.

Mr. WATKINS rose.

Mr. McKELLAR. Does the Senator desire to ask me a question?

Mr. WATKINS. I should like to ask the Senator a question on another matter, with reference to an amendment which I propose to offer. I do not wish to interrupt the Senator. I shall wait until he has concluded his statement.

Mr. McKELLAR. I am through now.

Mr. President, my distinguished friend from Michigan [Mr. FERGUSON] has informed me that he expects to offer a legislative amendment to the bill. I had to tell my friend from Michigan, who is a member of the committee, that, while I dislike to make a point of order in connection with the amendment, I shall be obliged to do so if it is offered. I hope he will not press it.

Mr. WATKINS. Mr. President, would the Senator be willing to permit me to offer an amendment in connection with the Indian matter about which I spoke to him, prior to the consideration of the committee amendments? I think my amendment will probably be noncontroversial, and can be gotten out of the way.

Mr. McKELLAR. The only way that could be done would be by unanimous consent.

Let me say to the Senator from Utah that this is the fourth week I have sat here trying to get the first one of the appropriation bills for this year to the floor of the Senate. I have sat here every day watching for the past 4 weeks, and hoping that we could get started on the appropriation bills. The House has been unusually expeditious this year in passing appropriation bills, and the Senate has been unusually slow. I should like to have this bill passed today if it is humanly possible. I appeal to Senators for cooperation.

All Senators know that we must pass the appropriation bills. We must pass this bill and succeeding appropriation bills if the Government is to continue to operate. I believe that Senators will cooperate in passing the appropriation bills as rapidly as we can, in the interest of the Government. I hope the Senator from Utah will wait a little while before offering his amendment, and let us dispose of the committee amendments first. That is the usual procedure. Let the bill be read for committee amendments, and after they are disposed of the Senator can offer his amendment.

Mr. WATKINS. Mr. President, in view of what the Senator says, I shall be happy to wait and offer my amendment after the committee amendments are disposed of.

The VICE PRESIDENT. The clerk will proceed to state the committee amendments.

The first amendment of the Committee on Appropriations was, under the heading "Legislative Branch—Senate," on page 1, after line 8, to insert:

For payment to Vera C. Bushfield, widow of Harlan J. Bushfield, late a Senator from the State of South Dakota, \$12,500.

The amendment was agreed to.

The next amendment was, at the top of page 2, to insert:

For payment to Alice W. Broughton, widow of J. Melville Broughton, late a Senator from the State of North Carolina, \$12,500.

The amendment was agreed to.

Mr. ROBERTSON. Mr. President, I should like to offer a clarifying amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. It is not in order for the Senator to offer an amendment until the committee amendments are disposed of.

Mr. ROBERTSON. Very well.

The VICE PRESIDENT. The clerk will state the next committee amendment.

The next amendment was, on page 2, after line 6, to insert:

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

The appropriation for administrative and clerical assistants and messenger service for Senators contained in the Legislative Branch Appropriation Act, 1949, is made available for the employment of an additional clerk at the basic rate of \$1,500 per annum by each Senator from the States of California and Virginia, the population of said States having exceeded 10,000,000 and 3,000,000, respectively.

The amendment was agreed to.

The next amendment was, on page 2, after line 14, to insert:

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Hereafter the basic annual rates of compensation for two clerks at \$3,480 each contained in the Legislative Branch Appropriation Act, 1949, shall be one at \$4,260 and one at \$2,700.

The amendment was agreed to.

The next amendment was, on page 2, after line 19, to insert:

Commencing March 1, 1949, the appropriation for "Salaries of officers and employees of the Senate" contained in the Legislative Branch Appropriation Act, 1949, shall be available for the compensation of laborer in charge of private passage at \$2,280 basic per annum in lieu of laborer in charge of private passage at \$2,120.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses of the Senate," on page 3, after line 1, to strike out the subhead "Vice President's automobile"; in line 3, before the word "For" to insert "Vice President's automobile"; and in line 4, before the figures "\$2,500", to insert "fiscal year 1949."

The amendment was agreed to.

The next amendment was, on page 3, after line 4, to insert:

Postage stamps: For additional amounts for postage stamps, for the following offices: Office of the Secretary, \$150; Office of the Sergeant at Arms, \$75; in all, fiscal year 1949, \$225.

The amendment was agreed to.

The next amendment was, on page 3, after line 8, to insert:

Furniture: For an additional amount for furniture and repairs, fiscal year 1949, \$6,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to insert:

Commencing January 20, 1949, the provisions of existing law relating to long-distance telephone calls for Senators shall be equally applicable to the Vice President of the United States.

The amendment was agreed to.

The next amendment was, on page 3, after line 14, to insert:

Notwithstanding the provisions of the Treasury-Post Office Appropriation Act, 1949, the appropriation "Miscellaneous items, contingent expenses of the Senate," shall be available for purchase of new or used typewriters at prices which do not exceed prices established under the provisions of the Treasury-Post Office Appropriation Act, 1949.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 4, after line 2, to insert:

For payment to Vera Bloom, daughter of Sol Bloom, late a Representative from the State of New York, \$12,500.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to insert:

JOINT COMMITTEE ON NONESSENTIAL FEDERAL EXPENDITURES

For an amount which is hereby authorized to enable the Joint Committee on Reduction of Nonesential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, \$20,000, to be disbursed by the Secretary of the Senate.

The amendment was agreed to.

The next amendment was, under the heading "Independent Offices—Grants to States for unemployment compensation and employment service administration," on page 8, line 12, after the word "administration", to strike out "\$10,000,000" and insert "\$14,000,000, of which \$4,000,000 shall be available only upon determination by the Federal Security Administrator, with the approval of the Director of the Bureau of the Budget, that increased costs have resulted either from (1) increases in work load, or (2) increases in salaries of State employees, occurring after February 1, 1949."

The amendment was agreed to.

The next amendment was, on page 8, after line 18, to insert:

FEDERAL WORKS AGENCY PUBLIC BUILDINGS ADMINISTRATION *Renovation and modernization, Executive Mansion*

For all expenses necessary for and incident to the renovation, repair, and modernization (without change of present architectural appearance of the exterior of the Mansion or the interior of its main floor) of the Executive Mansion, including the preparation of drawings and specifications, and the purchase of furniture, furnishings, and equipment, without regard to section 3709 of the Revised Statutes or the civil service and classification laws, \$5,400,000, to remain available until expended: *Provided*, That any cost-plus-a-

fixed-fee general construction contract entered into in pursuance of this authority shall be awarded on competitive bidding among responsible general contractors upon the amount of the fixed fee to accrue from the performance of such contract: *Provided further*, That with the exception of the subcontract to be made by the general contractor for the underpinning and foundation work and work incidental and appurtenant thereto, which may be a cost-plus-a-fixed-fee contract, all other subcontracts made by the general contractor shall be fixed price contracts awarded on competitive bids received from responsible subcontractors.

The amendment was agreed to.

The next amendment was, on page 9, after line 17, to insert:

General Accounting Office Building, District of Columbia

The contract authority provided under this head in the Second Deficiency Appropriation Act, 1948, for the construction of a building for the use of the General Accounting Office, is increased in an amount not to exceed \$2,550,000 under the revised limit of cost of \$25,400,000.

The amendment was agreed to.

The next amendment was, at the top of page 10, to insert:

BUREAU OF COMMUNITY FACILITIES *Maintenance and operation of schools*

For an additional amount for "Maintenance and operation of schools," \$3,000,000; and the limitation under this head in the Second Deficiency Appropriation Act, 1948, on the amount available for administrative expenses, is increased from "\$100,000" to "\$175,000".

The amendment was agreed to.

The next amendment was, under the subhead "Housing and Home Finance Agency—Federal Housing Administration," on page 10, line 13, after the word "to", to strike out "\$23,000,000" and insert "\$23,800,000."

The amendment was agreed to.

The next amendment was, on page 10, after line 16, to insert:

PUBLIC HOUSING ADMINISTRATION

The second proviso in the paragraph under the heading "Federal Public Housing Authority" in title I of the Government Corporations Appropriation Act, 1948, is hereby repealed as of July 1, 1947.

Mr. FERGUSON. Mr. President, I should like to speak to the amendment now before the Senate, which is the one relating to the Public Housing Administration. It reads as follows:

PUBLIC HOUSING ADMINISTRATION

The second proviso in the paragraph under the heading "Federal Public Housing Authority" in title I of the Government Corporations Appropriation Act, 1948, is hereby repealed as of July 1, 1947.

Following that, the further amendment reads:

The second proviso in the paragraph under the heading "Public Housing Administration" in title I of the Government Corporations Appropriation Act, 1949, is hereby repealed as of July 1, 1948.

Mr. President, the history of the proviso in the Government corporations appropriation for 1948 and 1949 whose repeal is now sought is relatively simple. It reverts to the early history and practices of the Housing Authority created

under the United States Housing Act of 1937.

The Housing Act of 1937 was designed to provide low-rent housing for families of low income who could not otherwise afford decent, safe, and sanitary dwellings. It authorized loans by the Housing Authority to local public housing agencies to aid in financing slum clearance and the development of low-rent housing projects. In order to bring rents in the completed dwellings within financial reach of families in the lowest-income groups, the Authority was empowered to make limited annual contributions, provided the community would also make contributions toward the operation of the projects.

Besides the locally owned projects which constitute the greater part of the low-rent program, the Housing Authority has had under its management some federally owned projects. The main group of these consisted of Public Works Administration projects, and they also included war-housing projects directly constructed and owned by the Federal Government, although it was determined that after the war they should be sold to local housing authorities for low-rent use.

Under the United States Housing Act, low-rent housing activities are primarily a subject for local determination and control, the Federal Government being limited chiefly to providing technical and financial assistance. Federal assistance can be provided only under conditions prescribed by the United States Housing Act. Among these conditions is a provision that the local authority shall provide, by cash, tax remission, or tax exemption, a local subsidy equal to at least one-fifth of the annual contribution to be provided by the Housing Authority.

According to a statement submitted to the House Appropriations Committee at its hearing on March 26, 1948, as shown at page 791, it was "the original policy of the Public Housing Administration to encourage localities to grant complete tax exemption for their low-rent housing projects."

Mr. President, I wish to repeat that statement. It was "the original policy of the Public Housing Administration to encourage localities to grant complete tax exemption for their low-rent housing projects."

In other words, the municipality was to waive all taxes on the property which was to be used for low-rent housing projects.

I read further from the statement submitted to the House Appropriations Committee in 1948:

It was only when a locality insisted upon receiving some payments in lieu of taxes that the PHA authorized the making of contracts providing for such payments. As a result of this original policy of case-by-case negotiations with the localities, the original contracts present a wide diversity of provisions as to payment in lieu of taxes. More than half of the original contracts contain no provision whatsoever for such payments, and only 7 percent of the contracts provided for payments equal to as much as 5 percent of shelter rent.

The statement in the House hearings continues:

The various localities throughout the country speedily came to feel that there had been an unfair discrimination between them; those cities which had insisted upon payments in lieu of taxes had received them, whereas those which had not insisted had received none.

In other words, the first bloom of enthusiasm with which the local authorities had entered contracts with the Housing Authority wore off. Because other cities had been given better deals, certain cities began to complain. A typical example was the local authority which entered a contract providing for payments in lieu of taxes in an amount corresponding to the tax on the real estate if the Federal Government had not come in and assisted in construction of a housing project. This was \$477. But later it sought a contract corresponding to a payment in lieu of taxes amounting to 10 percent of the shelter rent, or \$50,000. Mr. President, that municipality at first was perfectly satisfied to get \$477 in lieu of taxes; but when it learned that other cities were getting more, then it wanted the sum of \$50,000.

Mr. A. R. Miller, Assistant General Counsel for the Public Housing Administration, described the process in testimony before the House Appropriations Committee last year. He said:

We have contracts which were drawn at the time when the program was young and there was no experience, and the cities were enthusiastic. And they went further, it appears from their point of view, than they should have gone; and then, after that, when they found that the burden was excessive, they came to the Federal Government, to us, and said, "Here, we have made a contract which is too burdensome for us. Will you relieve us to some extent?"

As a result of such pleadings, the Housing Authority in 1942 began to revise its contracts, attempting a uniform policy of payments, in lieu of taxes, amounting to 5 percent of shelter rent. Since then, the Public Housing Administration has sought to have those payments increased to a uniform 10 percent, and that provision is the subject of authorizing legislation in Senate bill 138 of the Eighty-first Congress.

It will be observed that throughout the Housing Authority proceeded, in making payments in lieu of taxes, without an apparent doubt as to its legal authority to do so. The question of statutory authority to enter into any contract calling for payments in lieu of taxes on locally owned housing apparently was raised for the first time before the House Appropriations Committee in 1947.

At that time legal justification for such payments was requested from counsel for the Public Housing Administration. In a brief submitted to the House committee, section 13 (c) of the United States Housing Act of 1937 was cited.

Mr. President, I refer now to page 243 of the 1947-48 hearings. This section reads as follows:

The Authority may enter into agreements to pay annual sums in lieu of taxes to any

State or political subdivision thereof with respect to any real property owned by the Authority. The amount so paid for any year for any such property shall not exceed the taxes that would be paid to the State or subdivision, as the case may be, upon such property if it were not exempt from taxation thereby.

That quotation is taken from page 895 of the Public Laws, volume 50.

Mr. President, this only allowed the authorities to make an agreement in relation to taxes on property owned by the Authority. The properties and buildings from which we are attempting to remove the limit and to change the contract to allow 10 percent of the rent are not owned by the Authority, and therefore there is no authority to enter into the contracts.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from South Carolina.

Mr. MAYBANK. But is it not a fact that the same municipal services are rendered to the housing developments, whether owned by the Authority or not, the same street system, police, light, school, and so forth?

Mr. FERGUSON. Yes; that is true. There is no doubt that the municipalities render certain services for the properties whether owned by the Authority or not. I take it for granted that the services rendered by the municipality in each case are identical, but, under the law, only on properties owned by the Authority did the Authority have power to enter into an agreement to pay any sum annually in taxes.

Bear in mind that the United States Housing Act deals both with locally owned and federally owned housing projects, and note that section 13 (c) says, "with respect to any real property owned by the Authority."

Counsel's brief states:

It is true that the United States Housing Act does not, in so many words, authorize Federal Public Housing Authority to approve payments in lieu of taxes when such payments are proposed in budgets submitted by local housing authorities to FPFA for approval.

The brief continues to support a position that despite the absence of such authorization, payments in lieu of taxes were legal because the act "makes no attempt to particularize the permissible expenditures of local authorities in their operating budgets."

What the FPFA attempted to do was not within the law itself, but outside the law, to allow the payments and to make the contracts. That is exactly what was prohibited by the legislation of 1947, and by the budget of 1948. The amendment now attempts retroactively to restore the provision and to compel the Federal Government to make payments which were illegally made in the first instance to municipalities.

Mr. MAYBANK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. FERGUSON. I am glad to yield.

Mr. MAYBANK. Will the Senator not admit that the payments have been made over a period of years in some instances?

Mr. FERGUSON. From 1942 to 1947.

Mr. MAYBANK. The Senator will further agree with me, will he not, that while the amounts are small, nevertheless the various cities counted upon those amounts in making up their budgets for the city governments?

Mr. FERGUSON. I assume the cities, after they obtained the contracts between 1942 and 1947, made up their budgets upon the assumption that they were going to receive certain taxes from the properties.

Mr. President, I have a city in my State, the city of Detroit, that will benefit by the adoption of the amendment. There is no doubt about it. I think it will benefit by about \$31,000. But that does not mean that we should adopt it, merely because I am from a State that would receive a portion of the taxpayers' money. I think the time has come when, even though we come from States that would benefit by doing something illegal, merely because our States would get some money, we should not hesitate a moment to stand on the floor of the Senate and protest the taking of money from the Federal Government even by our own citizens. Unless we can do that, we are going to have no limit to the budgets of the Federal Government.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. MAYBANK. There are cities in Michigan that receive benefits, though, are there not?

Mr. FERGUSON. They will if the provision is included in the bill as passed. That is what I say.

Mr. MAYBANK. No; I say if the bill is not passed. They already have original contracts, do they not?

Mr. FERGUSON. Yes; they have some original contracts.

Mr. MAYBANK. I want to make it perfectly clear, with the permission of the Senator from Michigan, that there is no project whatever in South Carolina, such as the Senator suggested with respect to the State of Michigan.

Mr. FERGUSON. I realize that.

Mr. MAYBANK. The provision is supported purely on the basis of its merits as an adjustment. The benefit to any city in the State of South Carolina does not enter into the matter at all.

Mr. FERGUSON. I want to say to the committee and to the Senator from South Carolina, there are no projects in his State that would benefit by so much as one dollar. It is not a question of what we get for our own States, at all. It is a question of principle.

The House committee does not appear to have been impressed by this argument, however. It inserted in its report on the Government Corporations Appropriation for 1948 the following language:

Another policy of the FPHA permits local housing projects to make voluntary payments in lieu of taxes in excess of the rate specified in its contract up to 10 percent

of what is designated as shelter rent. This practice the committee feels to be of doubtful propriety and legality, and it has been provided in the bill that the funds appropriated for contributions cannot be used for payments to local projects making payments in lieu of taxes in excess of the rate specified in the original contracts with FPHA.

In adopting the proviso referred to in the House report it was apparent that there was considerable doubt as to the legality of any contributions for payments in lieu of taxes not mentioned in section 13 (c) of the United States Housing Act. As a concession to a practice which had been built up, however, funds were appropriated and authorization provided for payments corresponding to those provided at the inception of the assistance contracts between the Federal Government and the local authorities. The General Accounting Office has subscribed to this by refusing to approve payments since the beginning of fiscal 1948 on any contracts other than the first assistance contract between a local housing authority and the FPHA.

Mr. President, this can be boiled down to very simple language, when we come to vote upon the proposition. The Senate and House of Representatives, in 1947, said these contracts could not be increased, and they compelled everybody to go back to the original contract. We now find the Congress saying, "Oh, that was all right in 1947, and in 1948; it would not be allowed. But now we are going to allow it retroactively." It will cost the Federal Government I think between \$150,000 and \$160,000 each year, or a total of about \$300,000.

Mr. MAYBANK. It was \$104,000 for 1948, \$162,000 for 1949, making approximately the figure suggested by the Senator.

Mr. FERGUSON. That is about \$270,000.

Mr. MAYBANK. That is correct.

Mr. FERGUSON. Mr. President, the proposed legislation is sought to be added to the appropriation bill, but I am not making the point of order. I am saying it is a matter that should be determined by a simple majority of the Senate, rather than by a two-thirds majority, because I feel that we should treat the matter as if it were a bill. I understand there is a bill pending before the proper legislative committee which would allow the contracts to be made.

I hope that the Senate will vote retroactively to put back into the appropriation bill these and all the payments for the increase of the amount as provided for in line 18 to and including line 21, on page 10 of the bill.

Mr. President, I ask for a yea-and-nay vote on this question.

The VICE PRESIDENT. The question is on agreeing to the committee amendment referred to, on which the Senator from Michigan asks for a yea-and-nay vote.

The yeas and nays were ordered.

Mr. MAYBANK. Mr. President, I shall not delay the Senate for any great length of time in discussing this amendment. I will say that last month a bill

was introduced by the Senator from Georgia [Mr. GEORGE], which was referred to the Committee on Banking and Currency. I suggested to him at that time that since originally the amendment had been adopted as a rider to an appropriation bill, and since it was within the province of the Appropriations Committee, it be referred to that committee and not to the Banking and Currency Committee. I appreciate what the Senator from Michigan has said, that he would not make a point of order with reference to it, but it is a clear-cut instance of whether the Federal Government will keep its contracts with some 117 cities in the United States, contracts which have been made through the Public Housing Authority, and with the approval of the Congress, prior to the amendment to the Government Corporations Act for fiscal 1948 and 1949.

Mr. President, I ask unanimous consent that there be attached to the few remarks I have made a memorandum from A. R. Miller, Assistant General Counsel, Public Housing Administration, together with a statement which sets forth the full facts. I wish to read briefly from the statement at this time:

There are 17 low-rent housing projects which have been affected by this ruling. A list of such projects and the amounts involved is attached hereto. (On all other projects the "original" contract has either not been revised, or, where revised, no change was made in the amount of payments in lieu of taxes authorized thereunder; such projects are therefore not affected by the provisos in the appropriation acts.)

The question is merely whether or not they had a contract prior to 1948 when the amendment was placed in the appropriation bill, or whether they did not have one. That is the issue here. If the amendment offered by the distinguished Senator from Michigan is defeated, all we do is to give to 17 cities approximately \$300,000 over the past two fiscal years, which I think is due, and which my distinguished friend thinks is not due.

There being no objection, the memorandum and statement were ordered to be printed in the RECORD, as follows:

MEMORANDUM FROM PUBLIC HOUSING ADMINISTRATION FOR THE DEFICIENCY SUBCOMMITTEE OF THE SENATE COMMITTEE ON APPROPRIATIONS RELATING TO THE PROPOSED REPEAL OF THE PROVISO IN THE GOVERNMENT CORPORATIONS APPROPRIATION ACTS FOR 1948 AND 1949

In the Government Corporations Appropriation Acts of 1948 and 1949, a proviso was added to the Public Housing Administration's appropriation for annual contributions to low-rent housing projects which reads as follows: "Provided further, That no part of this appropriation shall be used to pay any public housing agency any contribution occasioned by payments in lieu of taxes in excess of the amount specified in the original contract between such agency and the Federal Public Housing Authority."

These acts also provided that expenditures thereunder should be subject to audit and final settlement by the Comptroller General.

The Comptroller General interpreted the term "original contract" as used in the aforesaid appropriation acts as meaning the first or earliest assistance contract between the

local housing authorities and the PHA, and that, therefore, in determining the amount of the annual contribution which the PHA might make out of the moneys appropriated under such acts, the PHA could give credit to the local authorities only for payments in lieu of taxes specified in the earliest contracts, even though such contracts had been validly revised to authorize larger payments in lieu of taxes.

There are 17 low-rent-housing projects which have been affected by this ruling. A list of such projects and the amounts involved is attached hereto. (On all other projects, the "original" contract has either not been revised, or where revised, no change was made in the amount of payments in lieu of taxes authorized thereunder; such projects are therefore not affected by the provisos in the appropriation acts.) The way in which the aforesaid 17 projects are affected is as follows:

Under the assistance contract between the PHA and the local authority, the amount of the annual contribution payable by the PHA is reduced by any rental income which the project may have over and above its expenses. One of the expenses payable out of the rents is the payment in lieu of taxes. Therefore, the greater the amount of payments in lieu of taxes the less there will be available from the rental income to reduce the annual contribution payable by the PHA and, consequently, the greater the contribution the PHA would make.

In the 17 projects involved, the "original" or earliest contract provided either for no payments in lieu of taxes or for a small amount. In each of these cases the contracts were subsequently revised or amended so as to authorize as an expense of the project larger payments in lieu of taxes than those specified in the "original" contract. These revised contracts were all validly entered into in pursuance of the authority vested in PHA by section 14 of the United States Housing Act of 1937, and were in effect prior to the passage of the appropriation act for 1948, and are legally binding obligations of the PHA.

The effect of the proviso in the Appropriation Act was to require the PHA to refuse to make annual contributions based upon the larger payments in lieu of taxes specified in the revised contracts and thus to breach the valid revised contracts in existence between the PHA and the local authorities.

In addition to the above 17 projects, there are 4 projects on which the local authorities, pursuant to authorization given by the PHA in accordance with its policy then in effect, made payments in lieu of taxes in excess of the contract amounts (known as voluntary payments) prior to the passage of the Appropriation Act of 1948. The annual contributions for these four projects, however, were payable on July 17, 1948, out of the moneys appropriated by the 1948 Appropriation Act and were, therefore, subject to the proviso in question. The PHA was required therefore to deduct those amounts from the contributions paid by it to these four projects.

The repeal of the provisos as of the dates of their respective enactments would, therefore, accomplish two things: (1) it would permit the local authorities to make payments in lieu of taxes equal to the full amount set forth in the revised contracts and permit the PHA to increase the annual contributions paid to the projects to the same extent; and (2) it would validate the voluntary payments in lieu of taxes previously made and permit the PHA to increase the annual contributions on those projects accordingly.

The Congress will not be required to appropriate any moneys for the above purposes since there is enough left out of the moneys already appropriated by the Appropriation Acts of 1948 and 1949 for the payment of these additional amounts of contributions. As shown by the attached state-

ment, the total amount of additional contributions which the repeal of the provisos would permit the PHA to make, is approximately \$300,000.

A. R. MILLER,
Assistant General Counsel.

Projects on which part of the annual contribution was withheld because of the difference between the amount of payments in lieu of taxes authorized by the "original" contract and the amount authorized by the revised contract

	Fiscal 1948	Fiscal 1949
Baltimore, Md.	\$627.00	(¹)
Detroit, Mich.	15,304.39	\$16,451.26
Norwalk, Conn.	383.52	
Atlanta, Ga.	40,898.29	102,192.44
Annapolis, Md.	2,023.53	2,332.76
Beverly, N. J.	414.76	
Jackson, Tenn.	1,028.80	
Nashville, Tenn.	2,273.00	
Key West, Fla.	1,601.00	
Los Angeles, Calif.	4,655.00	4,877.49
New York, N. Y.	24,412.09	24,523.90
Omaha, Nebr.	6,451.49	2,999.54
Springfield, Ill.	725.50	6,119.00
Trenton, N. J.	842.80	
Frederick, Md.	1,434.97	
McKeesport, Pa.	1,792.21	
Denver, Colo.		3,188.38
Total	104,898.35	162,684.77

¹ Where no amount is shown for fiscal 1949, it is due to the fact that the audit for that year has not yet been made. It is believed that when the audit is made the amount involved will be small, not more than \$10,000 in addition to the total of \$162,684.77.

Projects on which voluntary payments in lieu of taxes were made before the Appropriation Act of 1948 became effective

Augusta, Ga.	\$6,771.03
Fall River, Mass.	12,633.20
Laurel, Miss.	6,086.62
McComb, Miss.	3,242.40
Total	28,733.25

The VICE PRESIDENT. The question is on agreeing to the committee amendment, on which the yeas and nays have been ordered.

Mr. JOHNSTON of South Carolina. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Maybank
Brewster	Hickenlooper	Millikin
Bricker	Hill	Mundt
Bridges	Hoey	Murray
Cain	Holland	Neely
Capehart	Ives	O'Mahoney
Chapman	Jenner	Robertson
Chavez	Johnson, Colo.	Russell
Cordon	Johnson, Tex.	Schoeppel
Donnell	Johnston, S. C.	Smith, Maine
Douglas	Kerr	Taft
Downey	Knowland	Taylor
Ferguson	Langer	Thye
Flanders	McCarthy	Tydings
Frear	McFarland	Watkins
Fulbright	McGrath	Wherry
Gillette	McKellar	Williams
Green	Magnuson	Withers
Gurney	Malone	Young
Hayden	Martin	

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the amendment of the committee on page 10, beginning in line 17, on which the yeas and nays have been ordered.

Mr. FERGUSON. Mr. President, before the vote is taken I should like to

make a few remarks concerning the pending question.

The amendment is on page 10, beginning in line 17, and running through line 21. In 1947 fiscal and 1948 fiscal the Senate and House of Representatives inserted in an appropriation bill a provision that the FPHA amount in lieu of taxes had to be in accordance with original contracts. This is what happened: The local housing authorities wanted housing, they wanted low-rent housing. Many of them were willing to waive payments in lieu of taxes in order to get housing projects. They wanted to make contributions. Then, after they got a housing project, the FPHA would go to them and increase the amount of the payments in lieu of taxes.

When Congress really learned about that, in 1947 and 1948, we inserted in the appropriation bill a provision that they would get contributions only as provided for in their original contracts, not as provided in the changed contracts.

This year the Committee on Appropriations wants to insert in the bill the amendment from line 17 to line 21, which would retroactively provide for the payment of Federal money to municipalities which had already entered into contracts containing certain provisions and were able to persuade the FPHA to change the contracts.

If Senators are against changing what we did in 1947 and 1948 their votes should be "nay." If they favor the committee amendment, which would result in the payment to municipalities of about \$275,000 of Federal money which was not legally due to them, then Senators should vote "yea."

Mr. MAYBANK. Mr. President, I hope and trust that the committee will be sustained and that the amendment will be agreed to. The communities affected were not paid because the Comptroller questioned the right to pay them after the House and Senate language was inserted in the 1948-49 appropriation bill, before they had entered into contracts and had been paid. In a way they were left out because of language inserted in an appropriation bill. I trust that the amendment will be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee. Those who favor the amendment will make it known by saying "yea," those opposed by saying "nay," as their names are called. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that my colleague, the senior Senator from Texas [Mr. CONNALLY] is detained from the Senate on official business. If present he would vote "yea."

Mr. LUCAS. I announce that the Senator from North Carolina [Mr. GRAHAM] is absent because of illness, and if present would vote "yea."

The Senator from Wyoming [Mr. HUNT] and the Senator from Utah [Mr. THOMAS] are detained on official business, and if present would vote "yea."

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Pennsylvania [Mr. MYERS], both of whom are

absent on public business, would vote "yea" if present.

The Senator from West Virginia [Mr. KILGORE] is unavoidably detained, and if present would vote "yea."

The Senator from Connecticut [Mr. McMAHON] and the Senator from New York [Mr. WAGNER], both of whom are necessarily absent, would vote "yea" if present.

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate. If present and voting the Senator from Connecticut [Mr. BALDWIN] would vote "yea."

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business.

The Senator from New Jersey [Mr. SMITH] is absent because of illness.

The Senator from Michigan [Mr. VANDENBERG] and the Senator from Wisconsin [Mr. WILEY] are detained on official committee business.

The result was announced—yeas 49, nays 33, as follows:

YEAS—49

Anderson	Holland	Morse
Byrd	Humphrey	Murray
Chapman	Johnson, Colo.	Neely
Chavez	Johnson, Tex.	O'Connor
Cordon	Johnston, S. C.	O'Mahoney
Douglas	Kerr	Pepper
Downey	Knowland	Robertson
Eastland	Long	Russell
Ellender	Lucas	Sparkman
Frear	McCarran	Stennis
Fulbright	McClellan	Taylor
George	McFarland	Thomas, Okla.
Gillette	McGrath	Tydings
Green	McKellar	Watkins
Hayden	Magnuson	Withers
Hill	Maybank	
Hoey	Miller	

NAYS—33

Aiken	Gurney	Millikin
Brewster	Hendrickson	Mundt
Bricker	Hickenlooper	Reed
Bridges	Ives	Schoeppel
Butler	Jenner	Smith, Maine
Cain	Kem	Taft
Capehart	Langer	Thye
Donnell	Lodge	Tobey
Eaton	McCarthy	Wherry
Ferguson	Malone	Williams
Flanders	Martin	Young

NOT VOTING—14

Baldwin	Kilgore	Thomas, Utah
Connally	McMahon	Vandenberg
Graham	Myers	Wagner
Hunt	Saltonstall	Wiley
Kefauver	Smith, N. J.	

So the committee amendment on page 10, lines 17 to 21, inclusive, was agreed to.

The VICE PRESIDENT. The next amendment is the paragraph following line 21 on page 10.

Mr. ROBERTSON. Mr. President—Mr. McKELLAR. Mr. President, if I remember correctly, that paragraph is part of the same amendment as the preceding paragraph.

The VICE PRESIDENT. The Parliamentarian advises the Chair that it is a separate amendment.

Mr. McKELLAR. The Parliamentarian is very good. I would not dispute him.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 10, after line 21, which will be stated.

The next amendment was on page 10, after line 21, to insert:

The second proviso in the paragraph under the heading "Public Housing Administration"

in title I of the Government Corporations Appropriation Act, 1949, is hereby repealed as of July 1, 1949.

The amendment was agreed to.

Mr. ROBERTSON. Mr. President, I should like to ask the chairman of the committee about an amendment which we have not yet reached, for the purpose of clarifying his opening statement about that amendment. I understood the Senator from Tennessee to say, with respect to the provision of law that certain positions in the Reclamation Service would have to be held by engineers, that that was not involved in this bill, but would be handled in another bill.

Mr. President, I think it is absolutely true that the final determination will be made in connection with another bill; but I believe that my distinguished colleague from Tennessee will recall the voluminous testimony which we took before our committee on that very issue, and especially the testimony of the distinguished senior Senator from California [Mr. DOWNEY]. Before we reported the bill the committee struck out, on pages 25 and 26, the language which was inserted on the House side, which wiped out the engineering requirement and had the effect of restoring Commissioner Straus and Supervisor Boke to the pay roll. If the Senate adopts the committee amendment, we shall continue the prohibition against the payment of those two salaries, as provided in the appropriation act of last year. Is not that correct?

Mr. McKELLAR. Mr. President, I am afraid I made a mistake if I made the statement to which the Senator from Virginia refers—and, as I recall, I did make that statement. What I intended to say was that I understood the Senator from California [Mr. DOWNEY] was not going to press his point of view before the Senate, but would take it up in connection with a subsequent bill. This amendment, of course, strikes out the House language.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. DOWNEY. The statement which the distinguished Senator from Tennessee has just made is absolutely correct. The bill is left in a form which is satisfactory to me. Under the Senate committee version, the prohibition against any man holding either of these two offices unless he is an engineer remains in the law. I informed the distinguished Senator from Tennessee that in view of the fact that the bill was favorable to my contention, I would not deluge the Senate of the United States with any statements on the Boke-Straus issue, and I do not intend to do so.

The VICE PRESIDENT. This amendment has not yet been reached. The discussion is out of order.

Mr. McKELLAR. In that connection, Mr. President, my original statement should be corrected to conform to my last statement.

Mr. DOWNEY. Mr. President, before I resume my seat, I desire to thank the distinguished Senator from Virginia for the statement which he has just made.

The VICE PRESIDENT. The clerk will state the next committee amendment.

The next amendment was, under the subhead "Housing Expediter—Salaries and expenses", on page 11, line 4, after the figures "\$4,800,000", to insert "of which \$3,600,000 is contingent upon the enactment of legislation continuing rent control beyond March 31, 1949: *Provided*, That if rent control and veterans-preference requirements under the Housing and Rent Act of 1947, as amended, are not extended by legislation beyond March 31, 1949, the said sum of \$3,600,000 is hereby made available on account and in part payment of liquidation expenses, including terminal leave, of the Office of the Housing Expediter."

Mr. McKELLAR. Mr. President, it will be noted that the language beginning in line 4, is "of which \$3,600,000 is contingent upon the enactment of legislation continuing rent control beyond March 31, 1949: *Provided*, That if rent control and veterans-preference requirements under the Housing and Rent Act of 1947, as amended, are not extended by legislation beyond March 31, 1949, the said sum of \$3,600,000 is hereby made available on account and in part payment of liquidation expenses, including terminal leave, of the Office of the Housing Expediter." Since that time rent-control legislation has passed the Congress; and I ask that that much of the amendment, beginning with the word "of" in line line 4, to the end of line 12, be stricken out.

The VICE PRESIDENT. Without objection, the committee amendment will be rejected.

Mr. GEORGE. Mr. President, with reference to the amendment which was last voted upon by a yeas-and-nays vote, let me say that there are only 17 low-rent-housing projects which were affected by the ruling of the Comptroller General necessitated by the provisions which were inserted in the appropriation act in 1948.

Also, the effect of the amendment is to do only two things:

First, it would permit local authorities to receive payments in lieu of taxes equal to the full amount set forth in the revised contracts and permit the PHA to increase the annual contributions paid to the projects to the same extent.

Second, it would validate the voluntary payments in lieu of taxes previously made, and permit the PHA to increase the annual contributions on these projects accordingly.

I should like to have the RECORD show also that Congress will not be required to appropriate any money whatever for these purposes, since there is enough left of the moneys already appropriated under the appropriation acts of 1948 and 1949 for the payment of these additional amounts of contribution, as shown by a statement which I shall ask to have printed in the RECORD. The total amounts are not very high.

I ask unanimous consent to have inserted in the RECORD at this point as a part of my remarks a statement showing projects on which a part of the annual contribution was withheld because the difference between the amount of payments in lieu of taxes authorized by

the original contract and the amount authorized by the revised contract.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Projects on which part of the annual contribution was withheld because of the difference between the amount of payments in lieu of taxes authorized by the "original" contract and the amount authorized by the revised contract

	Fiscal 1948	Fiscal 1949
Baltimore, Md.	\$627.00	(1)
Detroit, Mich.	15,304.39	\$16,451.26
Norwalk, Conn.	283.52	
Atlanta, Ga.	40,898.29	102,192.44
Annapolis, Md.	2,023.53	2,332.76
Beverly, N. J.	414.76	
Jackson, Tenn.	1,028.80	
Nashville, Tenn.	2,273.00	
Key West, Fla.	1,601.00	
Los Angeles, Calif.	4,655.00	4,877.49
New York, N. Y.	24,412.09	24,523.90
Omaha, Neb.	6,451.49	2,999.54
Springfield, Ill.	725.50	6,119.00
Trenton, N. J.	842.80	
Frederick, Md.	1,434.97	
McKeesport, Pa.	1,792.21	
Denver, Colo.		3,188.38
Total	104,868.35	162,684.77

¹ Where no amount is shown for fiscal 1949, it is due to the fact that the audit for that year has not yet been made. It is believed that when the audit is made the amount involved will be small, not more than \$10,000 in addition to the total of \$162,684.77.

Projects on which voluntary payments in lieu of taxes were made before the Appropriation Act of 1948 became effective

Augusta, Ga.	\$6,771.03
Fall River, Mass.	12,633.20
Laurel, Miss.	6,086.62
McComb, Miss.	8,242.40
Total	28,733.25

Mr. GEORGE. Mr. President, this statement shows that the low-rent public-housing projects which were actually affected, and therefore will be benefited, now that this amendment has been approved, are to be found in the States of Maryland, Michigan, Connecticut, Georgia, New Jersey, Tennessee, Florida, California, New York, Nebraska, Illinois, Pennsylvania, and Colorado.

Mr. O'MAHONEY. Mr. President, in view of the remarks which have been made by the Senator from Virginia [Mr. ROBERTSON] and the Senator from California [Mr. DOWNEY] with respect to the repealer of the so-called Straus-Boke rider, I think I ought to make the statement that it should not be assumed from what was said that the issue has been decided. It was not decided in the committee, rather because of a matter of convenience. The decision was postponed. In the course of the consideration of this bill, when we come to that amendment, I wish to make my position clear.

Mr. WHERRY. Mr. President, as I understand, the first two lines under the heading "Housing Expediter—Salaries and expenses," on page 11, remain in the bill, with a period after "\$4,800,000."

The VICE PRESIDENT. That is correct.

The clerk will state the next committee amendment.

The next amendment was, on page 11, after line 12 to insert:

**MOTOR CARRIER CLAIMS COMMISSION
SALARIES AND EXPENSES**

For expenses necessary for the Motor Carrier Claims Commission established by the act of July 2, 1948 (Public Law 880), including personal services in the District of Columbia, travel expenses, printing and binding, and services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), \$50,000: *Provided*, That section 6 of the aforesaid act of July 2, 1948, as amended, is further amended by striking out the words "nine months" and inserting in lieu thereof the words "fifteen months," and section 13 of said act, as amended, is further amended by striking out the words "nine months' period" and inserting in lieu thereof the words "fifteen months' period."

The amendment was agreed to.

The next amendment was, at the top of page 13, to insert:

**UNITED STATES MARITIME COMMISSION
VESSEL OPERATING FUNCTIONS**

Not to exceed \$4,568,000 of the unobligated balance on March 1, 1949, of the funds appropriated under this head in the Supplemental Independent Offices Appropriation Act, 1949, shall remain available until June 30, 1949.

The amendment was agreed to.

The next amendment was, under the subhead "War Assets Administration—Salaries and expenses, special fund," on page 13, line 20, after the words "special fund," to strike out "\$12,500,000" and insert "\$13,750,000."

The amendment was agreed to.

The next amendment was, on page 14, after line 19, to insert:

**WAR CLAIMS COMMISSION
ADMINISTRATIVE EXPENSES**

For expenses necessary for the War Claims Commission, including personal services in the District of Columbia; travel expenses; printing and binding; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); and advances or reimbursements to other Government agencies for use of their facilities and services in carrying out the functions of the Commission; \$100,000, to be derived from the war-claims fund created by section 13 (a) of the War Claims Act of 1948 (Public Law 896, approved July 3, 1948): *Provided*, That the date fixed by section 8 (a) of the War Claims Act of 1948 for submission of the report required by said section is changed from "March 31, 1949," to "December 31, 1949."

The amendment was agreed to.

The next amendment was, on page 15, after line 9, to insert:

PAYMENT OF CLAIMS

For payment of claims, as authorized by the War Claims Act of 1948, from funds deposited in the Treasury to the credit of the war-claims fund created by section 13 (a) of said act, such sums as may be necessary, to be available to the Secretary of the Treasury for payment of claims under sections 4 (a), 4 (b) (2), 5 (e), 6 (b), and 7 of said act to the payees named and in the amounts stated in certifications by the War Claims Commission and the Federal Security Administrator or their duly authorized representatives, which certifications shall be in lieu of any vouchers which might otherwise be required: *Provided*, That this appropriation shall not be available for administrative expenses.

The amendment was agreed to.

The next amendment was, under the heading "Department of Agriculture—Agricultural Research Administration—Bureau of Entomology and Plant Quarantine—Control of emergency outbreaks of insects and plant diseases," on page 16, line 14, after the word "diseases", to strike out "\$1,000,000" and insert "\$1,350,000: *Provided*, That a report shall be made by the Secretary of Agriculture to the Senate and House Appropriation Committees covering expenditures from the fiscal year 1949 appropriations for this purpose."

The amendment was agreed to.

The next amendment was, under the subhead "Production and Marketing Administration—Conservation and use of agricultural land resources," on page 16, line 24, after the word "the" to strike out "Agricultural" and insert "Agricultural."

The amendment was agreed to.

The next amendment was, on page 17, after line 9, to insert:

**FARMERS HOME ADMINISTRATION
LOANS TO FARMERS, PROPERTY DAMAGE**

The funds appropriated under the head "Loans to farmers, 1948 flood damage," in the Second Deficiency Appropriation Act, 1948, shall remain available until June 30, 1950, in accordance with the terms and conditions specified under said head, to provide assistance to farmers whose property is destroyed or damaged as a result of floods, storms, or other natural calamity during the calendar years 1948 and 1949.

The amendment was agreed to.

The next amendment was, under the heading "Department of Commerce—Coast and Geodetic Survey—Salaries and expenses, field," on page 19, line 9, after the word "field," to strike out "\$290,000" and insert "\$366,000."

The amendment was agreed to.

The next amendment was, under the heading "Department of the Interior—Bonneville Power Administration—Construction, operation, and maintenance," on page 20, line 5, after the figures "\$3,521,600", to strike out "and the limitations under said head on force-account activities and on salaries and expenses in connection with informational work are hereby repealed" and insert "and the limitation under said head on force-account activities is hereby amended to read as follows: '*Provided further*, That not exceeding 10 percent of any construction appropriations for the Bonneville Power Administration contained in this act shall be available for wages for construction work by force account, or on a hired-labor basis, except in case of emergencies, local in character, so declared by the Bonneville Power Administrator.'"

Mr. ROBERTSON. Mr. President, I wish to offer a clarifying amendment to that section.

The VICE PRESIDENT. The amendment offered by the Senator from Virginia will be stated.

Mr. ROBERTSON. Mr. President, in view of the fact that this same amendment applies on pages 23 and 24, I ask unanimous consent that we may consider all three of those committee amendments together, because they all deal with the question of force account.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTSON. Then I ask that all three amendments be reported together. All of them use the same language.

The VICE PRESIDENT. The amendments will be stated.

The LEGISLATIVE CLERK. On page 20, in lines 12 and 13, it is proposed to strike out "for wages."

On page 23, in line 23, and continuing to line 1 on page 24, it is proposed to strike out "for wages."

On page 24, in line 3, it is proposed to strike out "for wages."

Mr. ROBERTSON. Mr. President, the effect of the amendments is as follows: We intended to raise the authorization for force account from 8 percent to 10 percent. But when the language "for wages for construction" was used, in effect we raised it to 20 percent, because wages would be only one-half of the construction cost.

So by striking out the words "for wages," and leaving it "10 per centum * * * for construction," it will be 10 percent for the over-all job. Undoubtedly that was the intention of the committee.

The VICE PRESIDENT. The question is on agreeing to the amendments of the Senator from Virginia to the committee amendment, in line 12 on page 20; and to the committee amendment in line 23, on page 23; and in line 1, on page 24; and also in line 3 on page 24.

The amendments to the committee amendments were agreed to.

The VICE PRESIDENT. The question now is on agreeing to the committee amendment, as amended, beginning in line 5, on page 20.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next amendment of the committee will be stated.

The next amendment was, under the subhead "Bureau of Indian Affairs—Navajo and Hopi Service—Agency services," on page 20, line 25, after the word "services" to strike out "\$360,000" and insert "\$1,310,000," and in line 25, after the amendment just above stated, to strike out the colon and the following proviso:

Provided, That after the approval of this act no payment shall be made from this appropriation to Indians who are eligible for benefit payments under the Social Security Act.

And in lieu thereof to insert the following proviso:

Provided, That a detailed report shall be made by the Secretary of the Interior to the Senate and House Appropriation Committees covering expenditures from the fiscal year 1949 appropriations for the education of the Navajo and Hopi Indians.

Mr. LANGER. Mr. President, I ask unanimous consent to insert in line 7 of the committee amendment, after the word "Indians" the following amendments:

EDUCATION OF INDIANS

For an additional amount for "Education of Indians," \$50,000.

Also, in line 10, to strike out "\$50,000" and insert "\$75,000."

And also, in line 13, to strike out "\$535,000" and insert "\$560,000."

I offer those amendments to the committee amendment.

The VICE PRESIDENT. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 21, after line 7 it is proposed to insert:

EDUCATION OF INDIANS

For an additional amount for "Education of Indians," \$50,000.

Mr. McKELLAR. Mr. President, I believe such an amendment is not strictly in order at this time; but I ask unanimous consent that it be considered and adopted. We should permit it, and I am sure the committee would unanimously agree to permit the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER] to the committee amendment, following line 7, on page 21.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, on page 21, after line 7, to insert:

CONSERVATION OF HEALTH

For an additional amount for "Conservation of health," \$50,000.

Mr. LANGER. Mr. President, in the committee amendment on page 21, in line 10, I offer an amendment to strike out "\$50,000" and insert "\$75,000."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER] to the committee amendment on page 21, in line 10.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the subhead "Welfare of Indians," on page 21, line 13, after the word "Indians", to strike out "\$385,000" and insert "\$535,000"; and in the same line, after the amendment just above stated, strike out the colon and the following proviso:

Provided, That after the approval of this act no payment shall be made from this appropriation to Indians who are eligible for benefit payments under the the Social Security Act.

Mr. LANGER. Mr. President, I now offer an amendment to the committee amendment on page 21, in line 13, to strike out "\$535,000" and insert "\$560,000."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER] to the committee amendment in line 13.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LANGER. Mr. President, I may say in explanation that those amendments are for the benefit of the North Dakota Indians at Turtle Lake and Fort Totten Reservations, who are very destitute, and have been supported by the neighboring towns.

The VICE PRESIDENT. The next amendment of the committee will be stated.

The next amendment was, on page 21, after line 16, to insert:

ALASKA NATIVE SERVICE

Vessel conversion

For expenses necessary in converting and outfitting a vessel for use as a service and supply ship by the Alaska Native Service, \$700,000, to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 21, after line 22, to insert:

PAYMENT TO CHOCTAW AND CHICKASAW NATIONS OF INDIANS, OKLAHOMA

For payment to the Choctaw and Chickasaw Nations of Indians in fulfillment of the terms of a contract between the United States of America and the said nations as authorized by the act of June 28, 1944 (58 Stat. 483), and as ratified by the act of June 24, 1948 (Public Law 754), \$8,359,000, of which not to exceed \$50,000 shall be available until expended for defraying the expenses, including printing and binding, of making the per capita payment authorized by the above acts: *Provided*, That in addition to the per capita payment, the Secretary of the Interior, in his discretion, is authorized to distribute per capita to the enrolled members of the Choctaw and Chickasaw Nations, entitled under existing law to share in the funds of such tribes, or to their lawful heirs or devisees determined in the manner prescribed in section 4 of the aforesaid act of June 24, 1948, any or all the funds held by the Government of the United States for the benefit of said tribes.

The amendment was agreed to.

The next amendment was, on page 22, after line 15, to insert:

INDIANS OF CALIFORNIA

Pursuant to Public Law 852, Eightieth Congress, second session, approved June 30, 1948, the sum of \$25,000 is hereby made available out of any funds in the Treasury of the United States to the credit of the Indians of California, to remain available until expended, to be used to defray the expenses incurred by the Secretary of the Interior in revising the roll as provided by law.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Reclamation—Force-account work," on page 23, after line 2, to strike out:

That part of the Interior Department Appropriation Act, 1949, which reads "not exceeding 8 percent of the construction appropriation for any project under the Bureau of Reclamation contained in this act shall be available for construction work by force account, or on a hired-labor basis, except for projects or items the estimated construction cost of which does not exceed \$200,000, and only then in cases where the Bureau of Reclamation finds the lowest bids to be excessive" is hereby repealed.

And in lieu thereof to insert the following:

That part of the Interior Department Appropriation Act for 1949 which reads: "Not exceeding 8 percent of the construction appropriation for any project under

the Bureau of Reclamation contained in this act shall be available for construction work by force account, or on a hired-labor basis, except for projects or items the estimated construction cost of which does not exceed \$200,000, and only then in cases where the Bureau of Reclamation finds the lowest bids to be excessive." is hereby repealed and in lieu thereof the following provision is hereby inserted: "Not exceeding 10 percent of the construction appropriation for the Bureau of Reclamation for any project contained in this act shall be available for wages for construction work by force account and on a hired-labor basis; except that not to exceed \$500,000 may on approval of the Commissioner be expended for wages for construction work by force account on any one project when the work is unsuitable for contract or where excessive bids are received; and except in cases of emergencies local in character, so declared by the Commissioner."

The amendment was agreed to.

The next amendment was, under the subhead "General fund—Construction," on page 24, line 12, after "Davis Dam project, Arizona-Nevada," to strike out "\$4,500,000" and insert "\$5,000,000."

The amendment was agreed to.

The next amendment was, on page 24, line 14, after "Colorado-Big Thompson project, Colorado," to strike out "\$1,800,000" and insert "\$2,000,000."

The amendment was agreed to.

The next amendment was, on page 24, line 16, after "Columbia Basin project, Washington," to strike out "\$4,500,000" and insert "\$5,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Missouri River Basin," on page 24, line 21, after "(58 Stat. 887)", to strike out "\$4,500,000" and insert "\$5,100,000."

The amendment was agreed to.

The next amendment was, under the subhead "Reclamation fund—General offices, salaries and expenses (other than project offices)", on page 25, line 6, after the figures "\$260,000", to strike out the following proviso:

Provided, That in addition to the amount appropriated under this head in the Interior Department Appropriation Act, 1949, there shall be available for expenditure under said head any sums transferred thereto for work performed or to be performed for the benefit of specific projects or undertakings for which other funds or appropriations of the Bureau of Reclamation are available; and the first, fourth, and fifth provisos under said head are hereby repealed.

And in lieu thereof to insert the following:

Provided, That the limitation of \$7,800,000 contained in the first proviso under this head in the Interior Department Appropriation Act, 1949, is hereby increased to \$8,410,000: *Provided further*, That the limitation of \$48,000,000 contained in the fourth proviso under this head in said act is hereby increased to \$53,376,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 20, to strike out:

Effective January 31, 1949, the proviso under this head in the Interior Department Appropriation Act, 1949, which reads: "*Provided further*, That after January 31, 1949, no part of any appropriation for the Bureau of Rec-

lamation contained in this act shall be used for the salaries and expenses of a person in any of the following positions in the Bureau of Reclamation, or of any person who performs the duties of any such position, who is not a qualified engineer with at least 5 years' engineering and administrative experience: (1) Commissioner of Reclamation; (2) Assistant Commissioner of Reclamation; and (3) Regional Director of Reclamation—" is hereby repealed.

The amendment was agreed to.

The next amendment was, under the subhead "Construction," on page 26, line 13, after "Lewiston Orchards project, Idaho", to strike out "\$300,000" and insert "\$350,000."

The amendment was agreed to.

The next amendment was, on page 26, line 14, after "Provo River project, Utah", to strike out "\$400,000" and insert "\$500,000."

The amendment was agreed to.

The next amendment was, under the heading "National Military Establishment," on page 27, after line 9, to insert:

DEPARTMENT OF THE ARMY—MILITARY FUNCTIONS, SECRETARY OF THE ARMY
EXPEDITING PRODUCTION

The sum of \$2,000,000 of the appropriation "Expediting production of equipment and supplies for national defense, fiscal years 1942-46," shall remain available until June 30, 1949, for the payment of obligations incurred under contracts executed thereunder prior to July 1, 1946.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, on page 25, in line 21, the committee amendment is the controversial Straus-Boke amendment to which I desire to address myself briefly in order that the Record may be perfectly clear.

As I said a few moments ago, there was no decision of this issue in the full Appropriations Committee. The Deficiency Appropriations Subcommittee which considered the matter, did act; it recommended that the repealer contained in the House bill be stricken from the bill.

Mr. President, in order to understand what this is all about, one should read the rider contained in the Interior Department appropriation bill of last year. The following language is to be found on page 25, beginning in line 23:

Provided further, That after January 31, 1949, no part of any appropriation for the Bureau of Reclamation contained in this act shall be used for the salaries and expenses of a person in any of the following positions in the Bureau of Reclamation, or of any person who performs the duties of any such position, who is not a qualified engineer with at least 5 years' engineering and administrative experience: (1) Commissioner of Reclamation; (2) Assistant Commissioner of Reclamation; and (3) Regional Director of Reclamation.

It will be observed that the effect of that language applies only to the appropriation for the fiscal year ending June 30, 1949. It will further be observed from that language that it provides only that no appropriation contained in the Interior Department Appropriation Act for the fiscal year 1949 shall be used to pay the salaries of certain officials who are not engineers. Obviously, the pro-

vision does not have any effect whatsoever after June 30, 1949. If it be argued that the purpose of the amendment was to change the qualifications of the position or office of Commissioner of Reclamation, it is plain that it is ineffective to do so. It merely provides that the person who was the incumbent Commissioner at the time when this rider was passed should not be permitted to draw a salary out of an appropriation contained in the Interior Department Appropriation Act. It does no more; it does no less.

When that legislative rider undertaking to prohibit the use of these appropriations for the payment of salaries to the individuals in such positions who were not engineers was reported by the Appropriations Committee last year, minority views were filed by the Senator from Arizona and the Senator from Wyoming, in which it was pointed out that the purpose of the rider was expressly to remove certain individuals from office. The minority views quoted the statement of former Representative Harness in which he said the object of the rider was to remove from office two officials, Commissioner Michael Straus and Regional Director Boke. The minority views did not prevail. The bill passed with this rider, except that instead of becoming effective immediately upon the enactment of the appropriation bill, as provided in the measure when it came from the House, the rider as finally adopted did not become effective until January 31, 1949.

Mr. President, when the President of the United States this year submitted his recommendation for the next fiscal year, he sent to the Congress a specific recommendation that the rider be repealed. The President, on January 6, 1949, addressed a letter to the Speaker of the House of Representatives, in which he urged the repeal of this restrictive provision. I ask that the full text of the letter, with the accompanying enclosure, be made a part of the Record at this point.

There being no objection, the letter, with the accompanying enclosure, was ordered to be printed in the Record, as follows:

THE WHITE HOUSE,
Washington, January 6, 1949.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of the Congress a repeal of a proviso contained in the Interior Department Appropriation Act for 1949 which is referred to in the attached letter of the Director of the Bureau of the Budget.

I have previously indicated my opposition to this proviso which has the effect of legislating out of office the Commissioner of the Bureau of Reclamation and one of his principal assistants. This arbitrary action is diametrically opposed to the principles on which this Government is founded. Furthermore, these positions are primarily administrative in character and do not necessarily require a professional engineering background.

I strongly urge the repeal of this restrictive provision.

Respectfully yours,

HARRY S. TRUMAN.

[Estimate No. 3, 81st Cong., 1st sess.]

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., January 5, 1949.

The President,
The White House.

SIR: I have the honor to submit for your consideration a provision of language repealing a proviso in the Interior Department Appropriation Act for 1949 which would legislate out of office the Commissioner of Reclamation and one of the regional directors, as follows:

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

General offices

Salaries and expenses (other than project offices)

The proviso under this head in the Interior Department Appropriation Act, 1949, which reads: "Provided further, That after January 31, 1949, no part of any appropriation for the Bureau of Reclamation contained in this act shall be used for the salaries and expenses of a person in any of the following positions in the Bureau of Reclamation, or of any person who performs the duties of any such position, who is not a qualified engineer with at least 5 years' engineering and administrative experience: (1) Commissioner of Reclamation; (2) Assistant Commissioner of Reclamation; and (3) Regional Director of Reclamation"—is hereby repealed.

I recommend the transmission of this proposed provision to the Congress.

Respectfully yours,

JAMES E. WEBB,

Director of the Bureau of the Budget.

Mr. O'MAHONEY. I placed the letter in the RECORD to make it clear that the President of the United States has asked for the repeal of this rider. The subcommittee on the deficiency bill held extensive hearings, went into the matter at great length, and reported to the full committee language striking out the repealer. Then, when that came for discussion before the full committee, I think several days at one time or another were devoted in part to the discussion. Finally, after much delay, members of the committee, feeling the necessity of having the bill acted upon on the floor, when one of the members of the committee raised an issue with respect to the loyalty investigation of these individuals under the Loyalty Act a subcommittee was appointed, and it was agreed that the matter should be postponed for decision. One member of the committee suggested that the second deficiency bill would be coming from the House presently, and that the matter could be decided at that time. So in order to save the time of the committee and of the Senate, because a subcommittee had been selected to confer with the Attorney General with respect to the loyalty investigations of the FBI, the bill was reported, but no action was taken upon the issue as an issue. The controversy was postponed.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. O'MAHONEY. I yield.

Mr. WHERRY. What is the status of Commissioner Straus at the present moment, relative to his service as Commissioner, and also with respect to the payment of his salary?

Mr. O'MAHONEY. As the situation exists now, he is not receiving a salary.

Mr. WHERRY. Is he still serving as Commissioner of Reclamation?

Mr. O'MAHONEY. He is still there, so far as I know. I have not asked.

Mr. WHERRY. I merely wondered, because I was very instrumental in helping to get the legislation passed last year, postponing the effective date to January 31.

Mr. O'MAHONEY. The Senator from Nebraska was very instrumental in so doing.

Mr. WHERRY. I wondered what the status was at the present time, and during the interval when apparently the issue has not been decided.

Mr. O'MAHONEY. Obviously no money is being used from the Interior Department appropriation bill to pay the salary of any person mentioned in the rider, and I am sure no money is being used from any other source for that purpose. My only purpose in rising, Mr. President, is to say that this is a very unusual situation. Because there were other bills coming over from the House and because of the desire of Members of the Senate to have the appropriation bill taken up, the controversy was, as I say, postponed. It is my own conviction that if we had had the time, the subcommittee's amendment would have been rejected by the full committee. Of course I have no way of proving that. That was my own judgment as to the way the votes stood in the committee. But I certainly want the RECORD to make it clear with respect to those of us who believe that this was an improper legislative rider upon an appropriation bill and that it should be repealed because it invades the executive functions of the President of the United States by seeking to remove individuals from office. From our point of view the issue is not yet settled.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Illinois for a question?

Mr. O'MAHONEY. I yield.

Mr. LUCAS. I am glad to hear the Senator say the issue is not settled. What I say has nothing to do with personalities, but it does have something to do with the principle laid down by the President in his letter. It seems to me that if the Appropriations Committee assumes authority to do what it has done in this case, with respect to the qualifications of a man in an executive department, then they are certainly usurping the power that rightfully belongs to the executive department. I am sure the Senator from Wyoming will agree with me about that.

Mr. O'MAHONEY. I may say that of course the Congress does have the right at any time to change the qualifications for any position in the executive department, the qualifications of which are not fixed by the Constitution. If they are fixed by statute, they can be changed, and, of course, they can be changed by a rider to an appropriation bill, when the rider is properly adopted. But in this case I point out that this is a perfectly

futile attempt to change the qualifications, because it has no effect except between the period from January 31, 1949, to June 30, 1949.

Mr. LUCAS. I understand that. Mr. President, will the Senator yield for one more question?

Mr. O'MAHONEY. I yield.

Mr. LUCAS. I think the Senator will agree with me that the Congress has power to prescribe any qualifications, other than those prescribed by the Constitution, they desire for a person who is serving in the executive branch of the Government. But what the Senator from Illinois is objecting to is the Appropriations Committee using a rider of this kind to disqualify an individual without some committee of the Senate, other than the Appropriations Committee, peculiarly fitted or qualified to investigate and consider the question being permitted an opportunity to do so. That is the point I am making now, and I think what the President said in his message to the Congress is fundamental. I think the Congress itself ought to be jealous of the different prerogatives we have, and attempt the best we can to restrain the Appropriations Committee from doing what has been in this bill, or from doing again what they did last year.

Mr. O'MAHONEY. In response to the Senator, I think it is appropriate for me to read a paragraph from the statement which was issued by former Representative Forest A. Harness, immediately before the Interior Department bill was handled in the House a year ago. In the statement he said:

Legislation which would have the effect of removing Reclamation Commissioner Michael Strauss and Richard Boke, director of the Bureau's region 2, California, from their present positions, was recommended today by Chairman Forest A. Harness (Republican, Indiana), of the House subcommittee on publicity and propaganda.

He then sets forth this amendment or rider, which was designed to remove, as he said, certain officials. This is what prompted the President, no doubt, in signing the appropriation bill last year, to issue this statement:

Yesterday—

Said the President—

I signed the Interior Department Appropriation Act of 1949. I did so only because I had no choice. Since the bill came to me after the Congress had adjourned, a veto would close down the operations of the Department of the Interior on July 1.

If it had been possible to veto this bill without bringing the vital work of the Department to a standstill, I would have done so because of a rider in the bill establishing arbitrary qualifications for the Commissioner, the assistant commissioners, and the regional directors of the Bureau of Reclamation. This rider is designed to effect the removal of two men now holding such positions who have supported the public-power policy of the Government and the 160-acre law which assures that western lands reclaimed at public expense shall be used for the development of family-sized farms. No matter what may be the asserted reasons for wanting to remove these men from office, the result would be to serve the purposes of special interests desirous of monopolizing the rich farm lands of the West and intent upon stopping the construction of transmission lines for the delivery of power from

Federal dams. These same interests tried first to get the law changed, but failed, and having failed, then sought to get the management changed.

So, Mr. President, the President made clear when he signed the bill last year and when he sent his message to the Speaker of the House, that the record of this legislation is an invasion of the Executive power of removal.

Let me add one word more. I appeared before the subcommittee of the Committee on the Judiciary and recited to that committee that, as chairman of the Committee on Interior and Insular Affairs, I stood ready at all times to go into the matter of qualifications thoroughly and completely. Since that time my good friend the Senator from California [Mr. Downey] has submitted a resolution calling for an investigation of the Bureau of Reclamation. I have said to the Senator from California, privately, and I now say to him publicly, that it will be the purpose of the chairman of the committee to conduct that investigation. The committee has not only the power, but I think it has the duty to do so. I make this statement, Mr. President, only in order that it may be clear that because I did not ask for a vote on the question, I am not indicating that, in my opinion or in the opinion of many Members of the Appropriations Committee, the issue is settled.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from California.

Mr. DOWNEY. Mr. President, is the Senator willing to announce publicly in the Senate that the investigation which I have demanded of the Bureau of Reclamation shall be commenced within a period of 30 days, and thereafter vigorously prosecuted by his committee until its completion?

Mr. O'MAHONEY. Mr. President, my best answer to the Senator from California is this: There are before the Committee on Interior and Insular Affairs two matters of the utmost importance in which the people of California and the Senators from that State are deeply interested. One is the controversy over the waters of the Colorado River; the other is the legislation with respect to tidelands.

I shall not undertake at this time, and on the floor, to give a categorical reply with reference to a time within which this matter will be taken up, but I assure the Senator from California that if I can ever get my head above the waters of the Colorado River without having it submerged in the tidelands, we shall go ahead with the investigation.

Mr. DOWNEY. Mr. President, let me say that whenever any committee, including that of the distinguished Senator from Wyoming, is willing to listen to undeniable testimony supported conclusively by documentary proof, I am prepared to show that every day the inefficiency and dishonesty of the Bureau of Reclamation is continued in the West, tens of thousands of dollars are being lost. I am prepared to show by undeniable proof, on my word as a Senator, that there exists now a conspiracy in the

Bureau of Reclamation to promote unneeded and extravagant projects, and that if they are successful—and they may be successful within the next 60 days—the Federal Government, the farmers of California, and others will pay an unnecessary bill of at least \$100,000,000.

So, Mr. President, I say to the distinguished Senator from Wyoming that his happy statement to me that whenever he can get free of the waters of the Colorado River and of the tidelands, he will undertake to consider this question, does not satisfy me. I have already presented to the subcommittee of the Appropriations Committee conclusive proof of the waste and maladministration under these nonengineering employees of the Government. I am prepared, whenever any committee is prepared to listen, to present an abundance of testimony of that kind—testimony so shocking and so incredible that it should result in the removal of these guilty men overnight.

Mr. President, the condition is so serious that it cannot be exaggerated. The loss runs into such huge sums that I say any appropriations committee charged with the duty of safeguarding the funds of the taxpayers, seeing maladministration by men lacking all essential qualifications of engineers, which did not say, "To the best of our power, we will prevent the waste of funds of the Government by changing this maladministration to one of high engineering ethics," would be derelict in its duty.

Certainly, Mr. President, the primary duty to appoint or to supersede these men rests with the Executive. But the primary duty of the distinguished chairman of the Appropriations Committee, and of the members of that committee, is to safeguard the funds of the public; and whenever convincing and conclusive evidence is presented to them of a wild and incredible mismanagement and waste, then I say, contrary to what the distinguished Senator from Wyoming has said, the members of that committee would be derelict if they had not done what they have done here, namely, to delete the House provision.

The distinguished Senator says this controversy has not been settled, but is merely postponed. Let me say to him that it has been postponed in a way that is entirely satisfactory to me, and whenever it is desired by any Senator to renew the controversy, we shall be present with an abundance of evidence to corroborate our position.

Mr. KNOWLAND. Mr. President, I do not intend to delay the Senate long on this point, and I had not intended to speak today, and would not do so except for the statement made by the Senator from Wyoming [Mr. O'Mahoney]. However, I do not believe that the RECORD should be allowed to stand as it is without having some clarification. I have the highest regard and respect for the Senator from Wyoming.

I had the privilege of serving during the Eightieth Congress as a member of the Senate Committee on Appropriations. I wish to say to the Members of the Senate that the issue now being discussed

has nothing whatever to do with the question of the transmission of power. Both my colleagues, the senior Senator from California, who sits on the other side of the aisle, and the junior Senator from California, are in favor of and have been consistently in favor of the building of transmission lines from Shasta Dam to the load centers, which have been a part of the Central Valley project from its inception. So the question of the transmission of power has nothing at all to do with the issue under consideration.

I wish to say that one of the fundamental responsibilities of a Senate committee or a House committee, and particularly of the Appropriations Committee of this body is to get information from the executive branch of the Government so that it can properly study appropriation bills, and can report to the Members of the Senate what the facts happen to be. Unless the Committee on Appropriations is able to get such information, the members cannot discharge their responsibility to themselves or to the Senate.

It so happened that I was serving as acting chairman of the subcommittee at the time Mr. Straus testified 2 years ago, and I asked him some questions when the committee had under discussion the Central Valley project. In answer to an inquiry which I propounded, the Commissioner of Reclamation stated that the carry-over funds in the Central Valley project would amount to \$10,000,000. I pressed him considerably on that point, because there was some doubt in the minds of the committee as to just what the carry-over fund would be. Time and time again Mr. Straus testified that the amount of the carry-over would be \$10,000,000.

Mr. President, that session of the Congress went by. The Congress made appropriations based on the information it had before it. A year later we discovered that a month before the Commissioner of Reclamation had testified before our committee that the carry-over fund would amount to \$10,000,000, he had received by teletype from his agents in the field in the State of California information that in fact the carry-over was some \$25,000,000, or more than double the amount he had stated.

Mr. President, this is a very serious matter. It has nothing whatever to do with partisanship. It has nothing whatever to do with transmission lines.

The able Senator from Illinois has stated that there was a matter of principle involved. The matter of principle that is involved is whether or not representatives of the executive branch of the Government of the United States are to come before a Senate committee, the Committee on Appropriations or any other committee of this body, and give testimony before the committee that is willfully and deliberately false. If the Senate or the Congress tolerates in one iota representatives of the executive branch coming before a committee and giving willfully false and untrue testimony, no matter what party is in control of the executive branch of the Government, no matter what party is in control of the Congress, I say that it tends to

undermine the legislative processes of the Government, and makes it completely impossible for the Congress to discharge its obligation.

Mr. CHAVEZ. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Is it not a fact, however, that so far as concerns the issue the Senator from California is discussing, and the issue the Senator from Wyoming and the senior Senator from California have discussed, that issue is not involved in the pending matter? Is it not a fact that the Committee on Appropriations left the matter in the same situation in which the Eightieth Congress left it a year ago?

Mr. KNOWLAND. The Senator is correct, but as I pointed out at the beginning of my remarks, which are now almost concluded, I had not intended to speak on this subject, and would not have done so save for the fact that the Senator from Wyoming made a statement which I did not think completely covered the reasons which required the Congress in the last session to make the change, and I felt that the RECORD should be corrected.

Mr. CHAVEZ. Undoubtedly the Senator is making a record, but the Committee on Appropriations of the Senate, in order to save this body at this time going over the details it went over for 3 or 4 weeks, and in order to pass a deficiency bill which is absolutely necessary, avoided the controversy which the three Senators have been discussing. So why can we not pass the deficiency appropriation bill, and discuss at some other time the issue whether Boke and Straus should continue to serve the Government?

Mr. KNOWLAND. With all due respect for the Senator from New Mexico, for whom I have the highest regard, I have not taken more than 5 minutes of the time of the Senate, which I have used in order to make clear what I think needs to be clarified to the Senate. A number of letters have been written to various Members of the Senate. For the information of those who have not sat through the Appropriations Committee hearings, those who did not realize that here was involved an issue in which the very ability of a committee of the Congress properly to function was involved, I felt that it was worth a few minutes of the time of the Senate to clear the matter up.

I merely wish to say, in conclusion, Mr. President, that I am pleased that the Committee on Appropriations has taken the stand it has assumed. If and when the issues shall come before the Senate, I expect to have something further to say on the matter, and to cite the page, the verse, and the book to show that there was a deliberate and willful attempt to deprive a committee of the Senate of information to which it was lawfully and properly entitled.

Mr. WHERRY. Mr. President, I asked the distinguished Senator from Wyoming as to what the status of Commissioner Straus was at this time, in view of the amendment that became effective on January 31, 1949, and which is now

in effect, and the answer was, of course, that the Commissioner was not drawing any salary.

I should like to ask a further question, if I may, and I ask it because I have been asked the question myself. Does the senior Senator from Wyoming feel that the Commissioner should remain in full charge, and perform the functions of the office of Commissioner, even though he has not been paid?

Mr. O'MAHONEY. Mr. President, my opinion upon that matter is of no effect at all.

Mr. WHERRY. What is the Senator's opinion?

Mr. O'MAHONEY. I have not looked into the law. I have been given to understand that the Solicitor for the Department of the Interior takes the position that the provision which cuts off the salary of the Commissioner does not cut off his duties. That probably would have to be decided by higher authority than the Senator from Wyoming.

Mr. WHERRY. Mr. President, I thank the distinguished Senator for his observation. I do not wish to take the time of the Senate today, but I am in a state of total confusion as to what the result is to be on this amendment. I wish to state, as a member of the Committee on Appropriations, that when I joined in reaching what I thought at the time was a solution of the difficulty, and helped adopt the provision in the Eightieth Congress, I thought that by January 31, 1949, the issue would be determined. But the controversy has continued, and here is an official who is not drawing any salary, but apparently is assuming the full responsibility and authority of the office.

It seems to me the issue will not be settled if the provision contained in the pending bill is repealed. In order to accomplish the objective which some Senators apparently thought was accomplished, that is, to provide by law that only a qualified engineer shall occupy the place in question, there ought to be some limit to the time the Commissioner who is not qualified under the language of the rider placed on the appropriation bill could serve.

Mr. McKELLAR. Mr. President, there are a few committee amendments which have not been acted upon. I ask the Senate to act on them at this time.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The clerk will state the next committee amendment.

The next amendment was, under the subhead "Rivers and harbors—Maintenance and improvement of existing river and harbor works", on page 28, line 5, after the word "works", to strike out "\$10,500,000" and insert "\$10,509,000."

The amendment was agreed to.

The next amendment was, under the subhead "Flood control—Flood control, general (emergency fund)", on page 28, before the words "to remain" to strike out "\$2,500,000" and insert "\$20,000,000", and in line 16, after the word "expended", to insert a colon and the following proviso:

Provided, That not to exceed \$2,000,000 shall be made available under the provisions of and for the purposes enumerated in section 205 of the above act.

The amendment was agreed to.

The next amendment was, on page 30, after line 11, to insert:

TITLE II—CLAIMS FOR DAMAGES, AUDITED CLAIMS, AND JUDGMENTS

For payment of claims for damages as settled and determined by departments and agencies in accord with law, audited claims certified to be due by the General Accounting Office, and judgments rendered against the United States by United States district courts and the United States Court of Claims, as set forth in Senate Document Nos. 15 and 24, Eighty-first Congress, \$22,700,571.07, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or in certain of the settlements of the General Accounting Office or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than 30 days after the date of approval of this act.

The amendment was agreed to.

The next amendment was, on page 31, after line 8, to insert a new heading, as follows: "Title III—General provisions."

The amendment was agreed to.

The next amendment was, on page 31, line 10, to change the section number from "2" to "301."

The amendment was agreed to.

The next amendment was, on page 32, after line 16, to strike out:

SEC. 3. The provision in the Treasury Department Appropriation Act, 1949, which places a limit on the price which may be paid for such typewriters as may be purchased under the act shall not apply to the purchase of office type machines which are designed and constructed primarily to compose and print master copies for quantity reproduction by another process.

The amendment was agreed to.

The next amendment was, on page 33, line 1, to change the section number from "4" to "302."

The amendment was agreed to.

The PRESIDING OFFICER. That concludes the committee amendments.

Mr. McKELLAR. Mr. President, on behalf of the committee I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 32, after line 23, it is proposed to insert the following new section:

SEC. 302. The appropriations and authority with respect to appropriations in this act in whole or in part for the fiscal year 1949 shall be available from and including March 1, 1949, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between March 1, 1949, and the date of the enactment of this act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Mr. McKELLAR. Mr. President, I ask to have printed at this point in the RECORD certain data giving justification for the amendment, and I ask that the amendment be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee on behalf of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the data referred to will be printed in the RECORD at this point.

The matter referred to is as follows:

EXECUTIVE OFFICE OF THE
PRESIDENT, BUREAU OF THE BUDGET,
Washington, D. C., April 1, 1949.
(Memorandum for Mr. Everard H. Smith,
Senate Committee on Appropriations)

We have reviewed the items in the first deficiency appropriation bill, 1949, with regard to those appropriations which are out of funds or will be out by April 15, 1949, for obligation purposes. As some of these appropriations were exhausted as far back as March 1, 1949, it is felt desirable to redraft your proposed section 3 to cover this by using March 1 instead of April 1.

Attached is the suggested redraft of section 3 and a list of the appropriations which will be out of funds by April 15, 1949.

F. J. LAWTON,
Assistant Director.

SEC. 302. The appropriations and authority with respect to appropriations in this act in whole or in part for the fiscal year 1949 shall be available from and including March 1, 1949, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between March 1, 1949, and the date of the enactment of this act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

APPROPRIATIONS HAVING SUPPLEMENTAL
AMOUNTS IN PENDING FIRST DEFICIENCY BILL
WHICH WILL BE OUT OF FUNDS FOR OBLIGATION
PURPOSES BEFORE APRIL 15, 1949

The Judiciary: Fees of jurors: April 14.
Office for Emergency Management: Office of
Defense Transportation: Salaries and ex-
penses: March 1.

Federal Security Agency:
Employees' compensation fund: April 1.
Grants to States for public assistance:
April 1.

Housing Expediter: Salaries and expenses:
March 15.

United States Maritime Commission: Vessel
operating functions: March 1.

Veterans' Administration:
National service life insurance: January 1.
Soldiers' and sailors' civil relief: January 1.
Veterans' miscellaneous benefits: March 10.

War Assets Administration: Salaries and ex-
penses: April.

Department of Agriculture: Commodity
Credit Corporation: Administrative ex-
penses: April 4.

Department of Commerce: Bureau of For-
eign and Domestic Commerce: Export con-
trol: April 1.

Department of the Interior:
Bureau of Indian Affairs: Welfare of
Indians: February 24.
Bureau of Reclamation: General fund,
construction: Davis Dam project,
Arizona-Nevada: March 1.

Post Office Department:
Railroad transportation and mail mes-
senger service: March 15.
Railway mail service, travel allowance:
March 8.
Foreign air-mail service: February 28.
Vehicle service: March 19.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., April 8, 1949.

(Memorandum for Mr. Everard Smith, Com-
mittee on Appropriations, United States
Senate)

Supplementing my memorandum of April 1 concerning the dates on which certain agencies in the first deficiency bill would run out of funds for obligating purposes, I would like to call your attention to the following cases in which the agencies will run out of cash to make payments:

Veterans' Administration—Veterans' miscellaneous benefits: Out of cash at the present time.

Judiciary—Fees of jurors: Will be out of cash April 14.

Housing Expediter—Salaries and expenses: Will meet April 13 pay roll by deferring payments of all other bills and will be out of cash thereafter. Next pay roll date April 27.

War Assets Administration—Salaries and expenses: Will meet April 13 pay roll by deferring payment of all other bills and will be out of cash thereafter. Next pay roll date April 27.

Federal Housing Administrator—Administrative expenses: Will meet April 13 pay roll by deferring payments of all other bills and will be out of cash thereafter. Next pay roll date April 27.

Commerce—Export control: Can meet April 18 pay roll by deferring payment of all other bills but will have no cash thereafter. Next pay roll date May 2.

Interior—Welfare of Indians: Out of cash now.

General Fund Construction—Davis Dam: Out of cash now.

I mention these because of the fact that the proposed recess of the House might prevent completion of consideration of this bill until after April 25. Several of the agencies are worried as to whether they should continue to obligate against the amounts in the bill by keeping people on the pay roll when they will have no cash to meet these pay rolls until the bill is passed.

F. J. LAWTON,
Assistant Director.

Mr. McKELLAR. Mr. President, I ask that the vote by which the committee amendment on page 33, line 1, to strike out the numeral "4" and insert in lieu thereof the numerals "302" be reconsidered.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment was agreed to will be reconsidered.

Mr. McKELLAR. Mr. President, I now offer an amendment to the committee amendment in line 1 on page 33, to strike out "302" and insert in lieu thereof "303."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Tennessee to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. Without objection, the clerks will be authorized to make such corrections of section numbers throughout the bill as may be necessary.

Mr. McKELLAR. Mr. President, on behalf of the Committee on Appropria-

tions I offer another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, after line 14, it is proposed to insert the following:

The basic salary of the research assistant to the minority leader authorized by Senate Resolution No. 158, agreed to December 9, 1941, hereby is increased from \$6,000 to \$7,320 per annum.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WATKINS. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 21, after line 16, it is proposed to insert the following:

CONSTRUCTION, ETC., BUILDINGS AND
UTILITIES

For an additional amount under this heading for the conversion of the Bushnell Army Hospital, Brigham City, Utah, for school purposes, \$3,750,000, and the limitation, under "Construction, etc., buildings and utilities" in the Department of Interior Appropriation Act, 1949, on the amount which may be used for surveys and plans and administrative expenses, etc., is increased from \$190,000 to \$227,500.

Mr. McKELLAR. Mr. President, the committee has not passed on the amendment, but so far as the chairman of the committee is concerned, it seems to me the amendment might well be adopted in the interest of the Indians. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. WATKINS].

The amendment was agreed to.

Mr. WATKINS. Mr. President, I appreciate the very fine statement made by the chairman, but for the purpose of the record I should like to make a brief explanation of why the amendment is offered, particularly at this time.

As many Senators know, and many probably do not know, some 61,000 Navajo Indians are living on the Navajo Reservation in New Mexico, Arizona, and Utah. We made a treaty with these Indians about 80 years ago in which we agreed to provide educational facilities for them. As I remember the words of the treaty we were to provide one school room and a teacher for each 30 pupils. There are now on that reservation some 16,000 children of school age who are not in school. Such a situation has existed for years, because the United States has not provided the facilities for these Indians.

They are quite a problem now in the matter of welfare. Many of them are not in condition to work at white occupations. We find, as a matter of fact, that the reservation resources will not sustain more than 30,000 of these Indians, although there are now about 61,000 Indians on the reservation. It is going to be necessary, and it is now gen-

erally recognized as being necessary, to move from thirty to thirty-one thousand of these Indians elsewhere in the United States so they can make a living and become self-sustaining citizens of the United States.

We are under the obligation of educating these Indians. Sixteen thousand of them, as I have just pointed out, are not in school. We had a program submitted to us by the Department of the Interior and by the Bureau of Indian Affairs, calling for educational facilities and for a welfare program for these Indians, amounting to \$90,000,000. Personally I look with much favor upon that program. Certainly in order to keep our pledged word, if not for the sake of humanity, we should do something for the relief of these Indians.

In Utah the United States constructed during the war the Bushnell Military Hospital. It is of permanent construction, brick, steel, and concrete. It cost more than \$10,000,000. The hospital buildings are readily convertible into dormitories for Indians. We have found that at least 80 percent of the Indians do not understand English, do not speak it, and for that reason cannot take occupations and work in white communities. There are in the Bushnell Military Hospital some 80 buildings of brick, steel, and concrete. It is almost a complete city in itself. It has been abandoned for several years by the Army and turned over to the War Assets Administration. The War Assets Administration has tried, without success, to sell the plant. It has not received any offers at all except from one man who is willing to take the plant, pay a dollar for it, and operate it as a private school for underprivileged children. He was going to have a military school there. His situation was investigated and it was found he did not have sufficient resources to carry on. Had his offer been accepted we would not only have been required to give him the buildings and the plant, and some 800 acres of very fine ground, but we would have been required also to equip the plant for him, and then it is doubtful if he could have succeeded. He was the only one who came forward with any kind of offer to use these buildings. It costs us \$30,000 a year to maintain the buildings with guards and fire protection.

The War Assets Administrator, Colonel Larson, came before the Senate Committee on Expenditures in the Executive Departments and testified that the proposal to turn the Bushnell Military Hospital over to the Department of the Interior for the use of the Bureau of Indian Affairs in educating these children in a boarding school was a very fine proposal and he favored it. The Acting Commissioner of Indian Affairs, Mr. Zimmerman, and Dr. Beatty, Director of the Division of Education of the Bureau of Indian Affairs, also testified that this plant could be converted so that 2,000 Indian youngsters could be housed there in a boarding school where they could be trained in vocational education and in English so they could work among white people and maintain themselves.

It is only about a day's trip by bus from the Indian reservation to Brigham City, which is in the heart of industrial and agricultural Utah. There will be ample opportunities for these Indians to work when they are once trained, when they are once taught the English language. We have the need. The buildings are ready to be used. By the way, Public Law 20 was passed by the present Congress authorizing the transfer from the War Assets Administration to the Bureau of Indian Affairs of the Department of the Interior of these buildings, to take effect upon the appropriation being made, so the Bureau of Indian Affairs could go to work.

The Indian Bureau now plans to make full use of this plant. Two thousand Indians not in school can be taken there—probably those 12 years of age and older, those who are old enough to learn vocations and trades—just as soon as the plant is ready.

The reason why this program could not be fully considered by the committee either in the House or the Senate was that the law was not passed in sufficient time to get the information before the necessary committees. I have discussed the subject with the Bureau of the Budget and with the Indian Bureau, and they are in hearty accord with what I am now doing, that is, bringing the question to the attention of the Senate and having the project included in the pending bill as an amendment, so that beginning next fall this plant can be placed in operation, probably on a limited scale, for the education of Indian children. Probably by January 1, if we start immediately with the construction of the necessary classrooms to go along with the dormitories, the full 2,000 Indian students can be housed there and go to work. Delay until July 1 would probably bring construction into the winter. I think Members of the Senate know that in that climate construction is almost impossible in the winter. In any event, it would be very costly. So we shall save the \$38,000 a year which we are spending for guards, and put Indian children in school where they belong, and where we have agreed to put them. The country will be better served by having this done now.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. LANGER. How many Indians will be taken care of at this particular place?

Mr. WATKINS. Two thousand from the Navajo Reservation, and some from other reservations can come in as the need develops.

Mr. LANGER. What is being done about the remainder of the Indians who are not going to school?

Mr. WATKINS. Fourteen thousand Navajo children not now in school, and whom we are obligated to place in school, will have to be provided for by some other means. I shall come back here and, in company with other Members of this body, present measures and ask for appropriations to carry out our pledge to those Navajo Indian children. After this project is taken care of, the remainder

of the 16,000 children will be placed in school.

Mr. LANGER. Does not the Senator believe that now is as good a time as any to take care of the remainder of those children? Why wait until we come back again?

Mr. WATKINS. I think it would be impossible in a deficiency appropriation, and in cooperation with the Indian Bureau, to get the necessary plans ready so that the appropriation could be placed in this bill.

The principal reason for placing this particular amendment in the bill is to save a year in the lives of these students and put them in school now, rather than come along with an appropriation in July and have the construction drag through the winter. The President has approved the plan. The Indian Bureau recommended it, and the Budget Bureau cleared it. We intend to follow through with this plan, and now is the time to do it. If this bill is passed tonight and becomes a law within a few days, money will immediately become available.

Furthermore, it is necessary to get equipment for the school. The Indian Bureau has been notified that at Hanford, Wash., there are available many articles which will be needed in the Indian school, such as cooking utensils, stoves, bedding and beds, and other types of equipment now on sale at the atomic energy plant there. Some money is needed immediately in order to enable the Indian Bureau to buy these articles. Under the law, they must have cash. That is why the latter part of the amendment authorizes an increase in administration expenses at this time.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. WATKINS. I yield.

Mr. LANGER. Just when does the Senator intend to offer an amendment or introduce a bill to take care of the remainder of the Indian children who should be in school?

Mr. WATKINS. I intend to work with the Indian Bureau and the Department of the Interior. As the Senator knows, I was chairman of the Indian subcommittee for the past 2 years. We have been trying to devise a program to take care of the needs. I hope the department will have its plans ready. If we proceed as we intend to proceed, I think there will be a measure before the Congress in the near future to accomplish that purpose.

Mr. LANGER. I suggest to the Senator that the second deficiency appropriation bill will be before us in 2 weeks. Does not the Senator believe that he could have an amendment ready by that time to take care of the remainder of those children who long ago should have been in school? Thousands of them cannot even speak English.

Mr. WATKINS. I so understand.

I am especially concerned when I consider the ease with which we approved an authorization bill for \$16,000,000 for the Arabs over in Palestine, who are not particularly and directly our concern. That measure went through promptly.

I am sure that the Congress, realizing its responsibility, will take care of those Indians.

Mr. President, I should like to have printed in the RECORD at this point as a part of my remarks a report submitted by the Senator from North Carolina [Mr. HOEY] from the Committee on Expenditures in the Executive Departments, on Senate bill 170. It gives the details and the information which would have been given to the Committee on Appropriations.

There being no objection, the report (No. 30) was ordered to be printed in the RECORD, as follows:

The Committee on Expenditures in the Executive Departments, having considered the bill (S. 170) to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes, report favorably thereon, with an amendment, and recommended that it do pass.

This legislation authorizes the Administrator of the War Assets Administration to transfer to the Secretary of the Interior, for use by the Bureau of Indian Affairs as a vocational school for Indian children and a center for housing and training adult Indians for off-reservation employment and placement, the property known as the Bushnell General Hospital near Brigham City, Box Elder County, Utah, comprising 298.5 acres, more or less, together with roads, buildings, and other betterments thereon.

The Bushnell General Hospital was constructed by the Army in 1942 and 1943 as a 3,700-bed general and psychiatric hospital consisting of 188 permanent buildings, of which 108 were of wood-frame construction and 95 buildings of brick. The acquisition and improvement cost was \$9,822,915.99.

The hospital was declared surplus to the needs of the Army on August 21, 1946, after being rejected by the Veterans' Administration because of the lack of medical personnel in the immediate vicinity and the difficulty in staffing and maintaining the facility.

After advertising the property for sale or lease as a unit, during 1947, with no satisfactory bids, the War Assets Administration sold a total of 73 wood-frame buildings for off-site removal. On January 2, 1948, two areas were advertised for disposal as residential and farm land. Further advertisements of sale as separate units during 1948 resulted in the rejection of all bids.

The entire land area and the remaining 115 buildings were readvertised on November 15, 1948, with a fair valuation established at \$4,788,560. One offer on the property, for transfer on a public-benefit-allowance basis, was received but disposal was withheld at the request of the Bureau of Indian Affairs, pending enactment of necessary legislation to authorize its acquisition and operation as a school for Navajo Indians.

Under the treaty between the United States of America and the Navajo Tribe of Indians, proclaimed August 12, 1868, article VI provides in part as follows: "and the United States agrees that, for every 30 children between said ages who can be induced or compelled to attend school, a house shall be provided, and a teacher competent to teach the elementary branches of an English education shall be furnished who will reside among said Indians and faithfully discharge his or her duties as a teacher."

It is estimated that there are about 61,000 Navajo Indians now residing on the Navajo Indian Reservation in Utah, Arizona, and New Mexico, near the hospital site, with some 22,000 children of school age. The sponsors of this legislation maintain that the Government is still under obligation to educate these children, 16,000 of whom are at present not in school.

The hospital property involved in the proposed bill has no value to the Government in its present state, and its maintenance costs average approximately \$3,200 per month. It has been estimated that the construction of facilities of comparable size would cost \$14,000,000, whereas the present buildings can be converted to use as an Indian school at a cost of approximately \$2,000,000 to accommodate 1,400 children, and \$3,650,000 to its capacity of 2,000.

The transfer of this property to the Bureau of Indian Affairs for educational purposes and other utilization in behalf of the Indians would serve a useful and much-needed purpose. It would also remove the cost of maintenance and bring the property to an improved permanent status toward easy conversion as a Government hospital in any future emergency.

The Bureau of the Budget reported to the committee that there would be no objection to the passage of this bill. The following letters set forth the views of the Secretary of the Interior and the War Assets Administrator:

THE SECRETARY OF THE INTERIOR,
Washington, January 25, 1949.

HON. JOHN L. MCCLELLAN,
Chairman, Committee on Expenditures,
United States Senate.

MY DEAR SENATOR MCCLELLAN: Reference is made to your request for a report on S. 170, a bill for the transfer of certain property to the Secretary of the Interior, and for other purposes.

If amended as set out below, I recommend that S. 170 be enacted.

It is estimated that there are approximately 23,000 Navajo children of school age. At the present time there are educational facilities on the reservation, public, mission, and Federal schools for about 5,500. Provisions have been made during the last 2 years to transfer another 1,800 to off-reservation Federal schools. There remain, therefore, 15,700 Navajo children between the ages of 6 and 18 years for whom no school facilities are available.

Bushnell General Hospital, Brigham City, Box Elder County, Utah, was originally built by the Army as a 3,700-bed general and neuropsychiatric hospital. The plant consists of 108 permanent buildings on a site of about 298 acres, immediately at the edge of the city. The original installation is reported to have cost \$10,393,000. The buildings are in good condition, although all of the movable equipment has been removed.

The plant has been examined with a view to its conversion to an Indian vocational school. While not ideal, from school standards, it was found that a majority of the buildings may be converted to profitable use. Two great lacks will be classroom facilities and quarters for resident employees. It will also be necessary to reequip the plant completely.

In the proposed use of the plant two goals are possible. First, a school of about 1,400 pupils, which can be achieved with a minimum of additional construction. Second, a school of 2,000, which can be achieved by the construction of additional classroom facilities and employees' quarters. In either event the per-pupil cost will be well below that necessary to provide new facilities for an equal number of children.

After mature consideration it is my recommendation that plans be made for a school of 2,000 Navajo children at the Bushnell hospital plant, for this will provide for the education of the greatest number of Indians not now in any school for the least expenditure of funds. The necessary remodeling to provide dormitory facilities for 2,000 children is very slight. However, it will be necessary to provide by remodeling or by new construction quarters for approximately 100 married couples as well as more desirable quarters

for approximately 90 single employees. It is assumed that about 25 will be housed off campus. The only employees housed on the Bushnell grounds were single nurses and WAC officers who were given one small room each, which is less than is being supplied to Indian Service employees anywhere in the United States. Officers were required to live off campus; many of the maintenance employees were employed from among the local residents who already had homes in Brigham City; and relatively few of the employed personnel were married. For an Indian Service boarding school, it will be necessary for the majority of teachers, dormitory workers, and supervisory personnel to be housed on the campus. It will be possible to make an arrangement very similar to that of the hospital in seeking maintenance employees from among the residents of the community who will have their own homes. Only 2 of the major buildings on the campus are suitable for remodeling into classroom structures and these will provide only 35 classrooms. It will, therefore, be necessary to build 3 additional structures of about 14 classrooms each to provide the necessary adequate space (total, 42 additional rooms). Scattered around the grounds are other structures which will lend themselves to use as home economics rooms and shops. The hospital had a gymnasium and a swimming pool but no large auditorium. With 2,000 students it will be necessary to have an additional gymnasium and an auditorium of between 800 and 1,200 seating capacity. It is estimated that:

The cost of repairs and alterations, will amount to approximately-----	\$950,000
The cost of new construction will amount to approximately-----	1,867,000
Of new equipment to replace that which has been removed-----	700,000
Supervision and contingencies-----	128,000
Subtotal-----	3,645,000

It is proposed, also, to use the Bushnell grounds and some of the structures as a center for adult Navajos and other Indians for whom off-reservation employment and permanent relocation is being sought. These families will be allowed to live at the site between periods of seasonal employment, and during their residence a program of training in off-reservation manners and customs and in the use of English will be undertaken. The necessary alterations and equipment to provide 35 apartments for this purpose will be----- 133,000

Total----- 3,778,000

A careful study shows that the cost of operating the public utilities (heat, light, sewage, etc.) will amount to \$280,200 annually for 2,000 children. If the total amount for repairs, alterations, and new construction is provided during the spring of the year and new construction begins as promptly as possible, it should prove possible to enroll an average of 1,200 children at Bushnell during the fiscal year 1950. It is estimated that the cost of operating plant and utilities for this limited number of children will be \$252,000 for the full 12 months. At the present time, WAA is maintaining a stand-by staff, the cost of which will have to be assumed by the Indian Service from the time of transfer until children begin to occupy the school, at an approximate monthly cost of \$2,750; and the cost of the teaching staff, materials of instruction, food, etc., will amount to \$460,000 covering an average of 1,200 children for 7 months. It is believed that when the full enrollment of 2,000 pupils is achieved the operating cost will run around \$751 per capita, or

\$58 more than the average nonreservation school, due to the greater cost of operating within this Army structure and because about half the children will attend for 12 months.

Practically all of the youngsters who will be placed in this school will be from the Navajo Reservation—a majority will be non-English-speaking when they are received. Many will be more than 12 years old and entering school for the first time. For these older pupils, an intensive shorter educational period must be planned. As a result, the total operating cost will be somewhat greater than for the average boarding school which is not faced with these problems.

In spite of these greater costs, the operation of Bushnell for this purpose will represent a savings to the Government, for it will begin to receive some continuing benefit on the original investment for property which now stands idle.

To clarify the apparent intent of S. 170, which is to transfer this property between agencies of the Federal Government without reimbursement or transfer of funds, it is recommended that the bill be amended by inserting after the word "Interior" in line 5, the phrase "without reimbursement or transfer of funds."

Congressional time schedules will not permit ascertaining in advance the relationship of this proposed legislation to the program of the President. This report, therefore, does not constitute a commitment respecting the President's program.

Sincerely yours,

J. A. KRUG,
Secretary of the Interior.

WAR ASSETS ADMINISTRATION,
Washington, D. C., January 24, 1949.

HON. JOHN L. MCCLELLAN,
Chairman, Committee on Expenditures
in the Executive Departments,
United States Senate,
Washington, D. C.

DEAR SENATOR MCCLELLAN: Reference is made to your letter of January 18, 1949, requesting the views of this Administration with respect to S. 170, a bill to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes.

The proposed legislation would authorize and direct the War Assets Administrator to transfer to the Secretary of the Interior, for use as a vocational school for Indian children and a center for housing and training adult Indians, the Bushnell General Hospital, near Brigham City, Utah. The hospital covers an area of 298.5 acres, upon which are located 115 buildings, utility lines, and fire-fighting equipment. No personal property is located at the hospital at this time. The total acquisition cost of the property was \$9,822,915.99.

The hospital was declared surplus by the War Department on August 21, 1946, after a determination by the Veterans' Administration that it had no interest in the property. Advertising of the property over a 2½-year period has resulted in the sale of some 70 buildings for use off site. No acceptable bids have been received for the remainder of the property.

It is the belief of this Administration that the question of enactment of legislation of this type is one for the determination of the Congress and, accordingly, it has no objection to the enactment of the bill.

Owing to the urgency of your request, this report has not been submitted to the Bureau of the Budget.

Cordially yours,

JESS LARSON, Administrator.

Mr. CAPEHART. Mr. President, this is the first appropriation bill to come before this session of the Senate. It is my personal opinion that the total revenues

of the Federal Government for the fiscal year ending June 30, 1950, will be much less than we anticipate at the moment. I invite the attention of Senators to the fact that for the fiscal year ending June 30, 1949, it is anticipated that there will be a deficit of between \$600,000,000 and \$800,000,000. After we appropriate for the fiscal year ending June 30, 1950, possibly we shall have a deficit, the way business looks at the moment, of anywhere from \$5,000,000,000 to \$10,000,000,000.

I urge that we reduce our expenditures. I again recommend that we arrive at what seems to be a fair estimate of the amount we shall collect in revenues for the fiscal year ending June 30, 1950, and that we appropriate not a single penny above that amount. I can think of no greater catastrophe to the Nation than to continue to operate with a deficit during peacetime. That is particularly true when we face the fact that, during a period when the Nation has enjoyed its greatest prosperity, when the greatest number of people have been employed at the highest wages, when the farmers have enjoyed their greatest income, and business its greatest income, the Government has been unable to balance its budget.

Mr. President, I believe that the responsibility for balancing the budget belongs to the Congress. I do not believe that we are justified in appropriating more money than we can reasonably anticipate in revenues. I know that Senators are saying to themselves, "Where are you going to cut? Why do you not recommend some specific place to cut the budget?" I should be perfectly willing—and I think it would be the wisest course the Congress could pursue—to cut the budget not less than \$8,000,000,000. We made an effort to cut the ECA authorization. I recommended a cut of \$2,500,000,000. But the Senate in its wisdom has seen fit to pass the ECA bill authorizing a total of \$5,580,000,000.

So, Mr. President, we must face this issue sooner or later. I am not advocating that we cut out any of these projects; I am not advocating that we refuse to take on some additional projects which are in the best interest of the Nation. I am simply advocating that we cut all appropriations, that we reduce our expenditures in line with the anticipated revenues. Again I ask this question: If we cannot balance the budget under the conditions which have existed during the past 2 years, how are we going to be able to do so when business, industry, farm incomes, and all other incomes level off? Is it not better to appropriate a lesser amount of money for each project, and still maintain all the projects we would like to maintain, rather than to appropriate such great sums of money, exceeding the revenues by substantial amounts, and thus run so far into the red and bring about such a great deficit that the Nation will get into a financial condition which none of us wish to see develop?

So I strongly urge—and I shall continue to do so during the entire session of the Eighty-first Congress—that all appropriations be reduced. I believe

that as time goes on we shall find that Government revenues will drop. Let me suggest to the Members of the Senate that they go out into the country and talk to the people there and find out what is going on in the Nation at the moment, ascertain how business is dropping and how unemployment is increasing, how pay rolls are decreasing, and how the pay check of the worker is decreasing in size.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I am very happy to yield to the Senator from Michigan.

Mr. FERGUSON. Does the Senator realize that under the Reorganization Act we were to do the very thing he is advocating this evening; and that was to be done for the benefit of the Senate, by the 15th day of February. But by a vote of the Senate a few days before the 15th of February, the time for making the economic report was extended to the 1st day of May. Does the Senator further realize that, so far as the Senator from Michigan, a member of the Appropriations Committee, is aware, no steps seem to have been taken to comply with that requirement even as of the 1st day of May? Does the Senator from Indiana appreciate that?

Mr. CAPEHART. I appreciate it, and I know what the able Senator from Michigan has stated to be a fact. I appreciate his calling it to my attention, as well as to the attention of the Senate generally.

So, Mr. President, again I urge that we give thought to balancing the budget, to reducing expenditures, and not lose sight of the fact that revenues simply will be less, because prices are falling—they were too high, and now they are falling—and as prices fall, fewer dollars will be handled in America; and as that happens, there will be less revenue for the Federal Government. However, while revenues are decreasing, if we appropriate more money this year—as we are doing—we shall run up a deficit that much greater.

Mr. WATKINS. Mr. President, I inquire what is the parliamentary situation?

The VICE PRESIDENT. The parliamentary situation is that all committee amendments have been disposed of, and the bill is open to amendment.

Mr. WATKINS. I have offered my amendment, but I do not believe action has been taken on it.

The VICE PRESIDENT. Yes; it has been agreed to.

Mr. WATKINS. Very well; I wish the RECORD to show that.

Mr. BRIDGES. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 12, in line 9, it is proposed to strike out "\$2,950,000" and insert in lieu thereof "\$450,000."

In line 13, it is proposed to strike out "\$24,639,000" and insert in lieu thereof "\$22,139,000."

Mr. BRIDGES. Mr. President, let me ask the distinguished senior Senator from

Illinois, the majority leader, and the distinguished chairman of the Appropriations Committee, the Senator from Tennessee [Mr. McKELLAR], whether it is proposed to have the Senate finish action on the bill tonight, or whether it is desired to have a recess taken at this time.

Mr. LUCAS. Let me inquire how long my friend the Senator from New Hampshire intends to speak.

Mr. BRIDGES. If we are to begin to consider the item for the New Johnsonville steam plant, I think we should finish it; does not the Senator from Illinois think so?

Mr. LUCAS. I agree with the Senator from New Hampshire. I assume it will take some time to finish that item; I doubt whether we could do so in less than 2 or 3 hours. So perhaps we should take a recess at this time until tomorrow.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HILL. Can the distinguished Senator from New Hampshire, in cooperation with the Senator from Michigan [Mr. FERGUSON], give us any idea how long it will take to dispose of this item?

Mr. BRIDGES. I think the issues involved in connection with the item for the steam plant are fairly well known. I intend to present a brief statement, and perhaps other Senators will participate in the discussion. The Senator from Michigan [Mr. FERGUSON] may present a statement on another phase of the steam plant item, but I should not think it would take very long for him to do so. I hope we can expedite action on this matter, because I think the issues are fairly well known, and certainly there is no sense in prolonging the discussion.

Mr. HILL. If the Senator will yield further, Mr. President, let me say that, as he has stated, we had prolonged debate over this matter at the last session; in fact we had two votes on it, as I recall. Therefore, it has been fairly well discussed and debated.

I do not know how long the distinguished Senator from New Hampshire may desire to discuss this matter now.

Mr. BRIDGES. I do not desire to talk for more than a few moments; but undoubtedly other Senators will wish to discuss this question, and perhaps the whole issue will take several hours' consideration.

RECESS

Mr. LUCAS. Mr. President, I have advised some Senators that probably the Senate would take a recess at about 6 o'clock today, and no doubt some of them have already gone to their offices or to their homes.

So, in view of that understanding, I shall move that the Senate take a recess until tomorrow.

Before doing so, I should like to ask the distinguished minority leader about the item on the Executive Calendar. The only item on the Executive Calendar is the nomination of Thomas C. Blaisdell, Jr., of the District of Columbia, to be Assistant Secretary of Commerce. Am I correct in my understanding that there is some objection to the nomination?

Mr. WHERRY. Mr. President, if the distinguished majority leader will yield to me, let me say that twice I have asked to have that nomination passed over, and on both occasions the acting majority leader consented. I made that request in behalf of a Senator who wished to look into the credentials of the nominee. That Senator is not on the floor of the Senate at this time.

Under the circumstances, Mr. President, I may state that if the Senator from Illinois will permit the nomination to go over once more, then so far as I am concerned I shall not ask, by request, to have it go over again.

Mr. LUCAS. Mr. President, that is the only nomination on the Executive Calendar, so I shall not move to have the Senate proceed to consider executive business, in view of the explanation which has just been made by the minority leader, the Senator from Nebraska.

Therefore, Mr. President, I now move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate took a recess until tomorrow, April 12, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 11, 1949:

UNITED STATES ATTORNEY

Joseph Earl Cooper, of Alaska, to be United States attorney for division No. 3, district of Alaska, vice Raymond E. Plummer, resigned.

UNITED STATES MARSHAL

Vernon P. Burns, of Alabama, to be United States marshal for the southern district of Alabama, vice Roulhac Gewin, deceased.

IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States in the grades indicated with dates of rank to be determined by the Secretary of the Army under the provisions of title I, section 107 (b), Public Law 810, Eightieth Congress:

TO BE LIEUTENANT COLONEL

Charles E. Dunham, O1c801.
Michael S. Grenata, O9304.
Franklin L. Litchenfels, O16355.
Alden H. Seabury, O7431.
James C. White, O11666.

TO BE FIRST LIEUTENANT

Harry Mazur, O26137.

(NOTE.—Lieutenant Colonel Seabury was given recess appointment on November 24, 1948, and First Lieutenant Mazur was given recess appointment on December 7, 1948.)

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947:

TO BE COLONELS

Earl William Aldrup, O15972.
Miles Jason Baze, O41378.
Conrad Lewis Boyle, O15951.
William Joseph Bradley, O15967.
Harold Francis Chrisman, O15961.
Philip Feinberg, O38591.
Emroy Elmer Feind, O28787.
Conrad Gordon Follansbee, O15973.
Wayne Bailey Gardner, O41366.
Alexander Grendon, O39506.
Valerius Hakanson, O41371.
George Laurence Holsinger, O15989.
Carroll Delmar Hudson, O28785.

George Edward Isaacs, O15959.
John Gardner Ladd, O39509.
Frank Riley Loyd, O16004.
Harold Mills Manderbach, O15984.
Robert Reinhold Martin, O15953.
Murray Eberhart McGowan, O15943.
Edward Charles Miller, Jr., O38590.
Harry William Miller, O16005.
William Merritt Preston Northcross, O28793.
Edward Joseph O'Neill, O15952.
Harry Edward Owens, O28788.
Raymond Dishman Palmer, O15942.
Lewis Ebenezer Perry, O28781.
George Cooper Reinhardt, O15963.
Coleman Romain, O28783.
Abraham Julius Rosenblum, O28788.
John Douglas Salmon, O15937.
John Henry Sampson, Jr., O15974.
August Edward Schanze, O15976.
William Frederick Schweikert, O28778.
Charles Stowe Stodter, O16013.
Esthel Oliver Stroube, O41368.
William Carl Thompson, O41374.
John Vogler Tower, O15956.
Herbert Ryan Tumin, O41367.
Harold Witte Uhrbrock, O15990.
Curtis Leigh Varner, O28779.
Thomas Claggett Wood, Jr., O15946.
Clyde George Young, O28790.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 11, 1949

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou conquering Galilean, as we walk with Thee through these days of Thy passion, unveil to us Thy redeeming grace, making it everlastingly new, yet as old as the heart of God. As we wait at Thy altar, we pray for the quiet balm of Thy holy presence. We invoke Thy guidance in all our labors, that we may give courageous thought to the decisions of this day. As sons of freedom, ever impress us with the urgency of our mission, to deal justly, to conquer wrong, and to guard our national honor.

How beautiful upon the mountains are the feet of Him that bringeth good tidings, that publisheth peace; that bringeth good tidings of good, that publisheth salvation; that saith unto Zion, Thy God reigneth. Amen.

The Journal of the proceedings of Saturday, April 9, 1949, was read and approved.

EXEMPTING ARTIFICIAL LIMBS, FROM DUTY

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 3932) to exempt artificial limbs from duty if imported for personal use and not for sale.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title II of the Tariff Act of 1930 (relating to the free list) is hereby amended by adding at the end thereof the following new paragraph:

"PAR. 1816. Artificial limbs and limb braces, if imported for personal use and not for sale."